

VI 42
P5 II

PREFACE AND

ACCURATE AND AUTHENTIC

NARRATIVE

OF THE

ORIGIN AND PROGRESS

OF THE

DISSENTIONS

AT THE

PRESIDENCY OF MADRAS.

FOUNDED ON

ORIGINAL PAPERS AND CORRESPONDENCE.

LONDON :

PRINTED FOR EDMUND LLOYD, HARLEY STREET,
CAVENDISH SQUARE.

1810.

ERRATA.

- | Line. | Page. |
|------------|--|
| 1 | 6, <i>in</i> omitted. |
| 1 | 9, <i>in the field</i> omitted. |
| 5 | <i>ib.</i> <i>This</i> for <i>The</i> . |
| 1 | 24, <i>Card</i> for <i>Copy</i> . |
| 14 (Note) | 48, <i>be</i> to be omitted. |
| 17 (ditto) | <i>ib.</i> <i>appear</i> for <i>appeared</i> . |
| 11 | 85, read—form a small part, (<i>but</i> to be omitted.) |
| 7 | 50, <i>temperate</i> for <i>temporary</i> . |
| 20 | 94, <i>the</i> for <i>this</i> , (twice in that line.) |
| 15 | 103, <i>subscribed</i> for <i>submitted</i> . |
- Under letter E of the Appendix, the Letter from Lieutenant Colonel Munro, of the 23d January, 1809, should precede the Letter of the 22d January.

this wish in a great degree impracticable, as the tendency of such publications can only be counteracted by a distinct statement of facts. The materials which the Author has seen might have afforded the means of extending generally many of the observations contained in the Narrative; but all comments have been avoided, that the nature of the statement did not indispensably require.

Several material papers have been inserted in the Narrative, and in the Appendix; and as it has been the object of the Author to state no facts that are not founded on documentary evidence, or on information of unquestionable authenticity, it is hoped that the reader will have no difficulty in drawing his own conclusions on the subject.

The Narrative has for the present been confined to transactions which preceded the commencement of the rebellion, in order that the public may be as early as possible put in possession of the events which took place previously to that period. It is, however, the intention of the Author, so soon as he can obtain the materials for that purpose, to give an accurate account of the sequel of those proceedings.

INTRODUCTION.

IN laying before the Public a Narrative of the interesting events which have lately occurred at the Presidency at Madras, it has appeared proper that it should be preceded by a concise view of the progress of our establishments in India, particularly of the settlement of Madras, previously to the period at which the late discussions took their origin. A sketch of this nature is in some degree necessary to the correct understanding of the subject of those discussions; but it can be at best imperfect, as it would require a long volume to convey a full detail of the transactions of a Presidency which has largely shared in that variety of occurrence which has marked the progress of our Indian Empire, from its first stages, to that pitch of unrivalled ascendancy at which it has now arrived.

In the early wars in India which commenced in 1746, and with little intermission continued until the termination of hostilities in Europe at the peace of 1763, the territories of Madras were the chief scene of that memorable struggle. At that proud

era of the British History, every part of the world in which our arms were engaged, witnessed their triumph. In Bengal our power was established by the acquisition of the valuable territories obtained by our achievements in that quarter; and the total overthrow of the French arms established our influence on the Coast of Coromandel. This bright aspect of affairs was before long clouded by the reverses which followed, in the war of 1767, with Hyder Ally, and in the still more disastrous war of 1780, during which the territories of India suffered in more than an ordinary degree under the disasters which marked that gloomy period. The British interests in the East were more than once brought to the brink of ruin, and they were alone, under Providence, saved from the destruction with which they were menaced, by the unequalled exertions of the distinguished Commander Sir Eyre Coote, aided at that crisis of danger by the energy of the Governor-General, Mr. Hastings. But for the resources derived from their genius, it is probable that the Eastern world would have shared the fate of the Western Hemisphere, and that the dominion of India, as that of America, would have been lost to Britain.

The affairs of the East India Company having been in the progress of these difficulties involved in extreme embarrassment, the attention of the legislature was, from the year 1781, closely directed to the whole question of the Indian administration, in

which it was acknowledged by all parties that many defects existed. The nature of the discussions which ensued have been already so amply detailed, that it would be superfluous here to recur to them. Suffice it to say, that the long and violent debates that arose on the consideration of the question, terminated in the adoption of the India bill, which was brought into parliament by Mr. Pitt in 1784; which bill became the foundation of that system of Indian government which was then established, and which has been since continued under different modifications, particularly those contained in the bill passed for the renewal of the East India Company's Charter in 1793. Previously to the period of the reform effected by the bill of 1784, the power of the executive government of this country had been frequently interposed in the management of the affairs of the Company; but such interposition had been desultory in its principle, and appeared to be more directed to the extension of ministerial influence, and to purposes of temporary expediency, than to objects of permanent national advantage. Under the provisions of Mr. Pitt's bill the government of India assumed a new character. The power of control on the part of the executive government was defined, and permanently vested in a Board of Commissioners; the powers of the Court of Directors, and of the governments abroad, were also defined and strengthened; and a degree of unity

and efficiency, before unknown, was given to the whole system of the Indian administration.

In 1786 the appointment of Lord Cornwallis to the important station of Governor-General, and of Commander-in-Chief of the forces in India, took place. The most extensive powers were vested in his Lordship, and every part of his wise and energetic government proved that they could not have been confided to abler or to better hands. It is from the period of Lord Cornwallis's administration that we may date a radical change in the conduct of affairs in India. The History of India had, before that period, afforded examples of wise statesmen, and of able generals; but their exertions in the cause of their country were impeded by the defects inherent in the system under which they acted. Those defects it had been the object of the bill of 1784 to remedy; and Lord Cornwallis, in assuming the government of India, on the foundation established by that bill, entered on a field that was open for the exertion of a great and benevolent mind.

It would be unnecessary to recur, in this place, to the decisive success that attended our army under his Lordship's direction, or to the important consequences to the national security in India which followed from achievements that obtained the highest testimonies of public approbation and gratitude. Our attention should not be less directed to the salutary arrangements which Lord Corn-

wallis carried into effect for the internal government of the British territories in Bengal---arrangements; which fixed on immutable principles the general rights of property, and which secured to our native subjects the impartial administration of justice, under laws grafted on the native institutions, and tempered by the wisdom and mildness of British jurisprudence. This was a work which rendered his Lordship the benefactor of mankind, and of which, as observed by an enlightened writer, an Antoninus Pius might have had reason to boast.

Lord Cornwallis resigned the office of Governor-general in 1793, at which time India enjoyed a state of profound tranquillity and encreasing prosperity. But at this period the revolutionary war of France had commenced, and the consequences of that sanguinary contest were quickly extended to our eastern dominions. It became necessary for the government of India to undertake the equipment of different armaments, connected with the general operations of the war; and though such expeditions were generally attended with success, the expences which they necessarily involved led to the progressive accumulation of that load of debt which presses now on the finances of the Company.

In 1798 the charge of the supreme government devolved on Lord Wellesley, who undertook the duties of that arduous office at a moment big with

difficulty, and when our interests in India were surrounded with imminent dangers. It would be unsuitable, in a sketch of this nature, to enter on the subject of the achievements of Lord Wellesley's administration. It is sufficient to observe, that after a long course of vigorous measures, and of exploits of signal valor and enterprise, the British empire in India has acquired a degree of stability and security unknown at any former period ; and we may with confidence hope that a few years of internal tranquillity will suffice to restore our Indian finances, and to reduce what has been emphatically called the greatest enemy of the Company, the Indian Debt.

The two great measures which marked the commencement of Lord Wellesley's administration were particularly connected with the interests of the Presidency of Madras, namely, the subjugation of the French force in the Decan, and the war of Mysore, which terminated in the conquest of Seringapatam, and the overthrow of the house of Hyder Ally.

Lord Wellesley proceeded to Madras for the purpose of superintending personally the arrangements connected with the war in Mysore; but after the termination of that memorable campaign, the affairs of that Presidency again devolved on the local government, in which Lord Clive then presided. The territory of Madras had been considerably enlarged by the cession of country which

took place under the treaty concluded by Lord Cornwallis with Tippoo Sultan in 1792, and was again farther encreased by the share of territory which was acquired on the conquest of Mysore in 1799. From that period the limits of this part of the Company's dominions were rapidly extended. In 1799 Tanjore was ceded by the Rajah on the terms of the treaty then concluded. In 1800 the districts south of the Kistnah were ceded by the Nizam; and in 1801 the authority of the British government was established throughout the Carnatic, in conformity to the treaty concluded with the present Nabob. Within the period of three years an entire change took place in the political circumstances and relations of the Presidency of Madras. During the existence of the house of Hyder Ally that part of the Company's dominions had always been most vulnerable, and most exposed to the attack of open, and to the machinations of secret enemies. Our power in that quarter had existed by the most precarious tenure, and had been more than once in imminent hazard of annihilation. By the overthrow of Tippoo Sultan the most pressing of our dangers had ceased to exist, and the territories of that inveterate foe of the British name became, under the existing treaty with the Rajah of Mysore, a source of strength and of additional security to our interests. By the other treaties which have been mentioned, the British dominion was es-

tablished on a firm basis throughout that part of the Peninsula which is south of the Kistnah, which river affords a strong and defined barrier for the protection of our frontier.

From the relaxed nature of the government which had prevailed in a considerable part of the territories ceded to the Company, while those territories were subject to the native Princes, their subjection to our authority became a task of no ordinary difficulty. The feudal tenure had generally existed in its worst shape; and as the power of the ostensible Sovereigns was in general little more than nominal, the country swarmed with predatory chieftains, who with their followers bid defiance to lawful authority, and by acts of continued warfare and rapine had reduced to nearly a desert state lands that had been destined by nature to be the seat of population and abundance. In that disturbed state of society, the introduction of laws, or the establishment of a regular government, must be impracticable. It accordingly became a first duty to apply a remedy to this evil, on the same principle as the measure of annulling the feudal tenures, and of disarming the inhabitants of the Highlands of Scotland, was a preparatory and an indispensable step towards placing them in the rank of obedient subjects of the government of the country. After a long course of vigorous exertions and of active military operations, during the administration of Lord Clive; and subsequently of

Lord William Bentinck, and after the subjugation of different formidable rebellions, this object was happily effected under the government of Fort St. George. Lord Clive was enabled, previously to his embarkation for England in 1803, to introduce in a considerable part of those territories the system of law and of established property which Lord Cornwallis had introduced in Bengal, and under which our territories in that quarter had attained a high degree of prosperity. Previously to the extension of that system to Madras, the rights of property had been in a great measure undefined ; and criminal justice having ceased to be administered in a large portion of that country, crimes escaped undetected or unpunished. The establishment of the civil and criminal courts was subsequently, on the same enlightened principle, rendered by Lord William Bentinck general throughout the territories under Fort St. George; and their effects have been visible in the improvement they have produced in the character and circumstances of our native subjects*.

* This is no exaggerated description. The effect here stated has been visible in the internal tranquillity which has now for several years existed in this part of the Company's possessions. At former periods, not very distant, a war in India, or any untoward public occurrence, was the signal for universal commotion ; and the territories of some of the native powers not unfrequently suffered more from the rebellion of their own subjects than from the attack of foreign enemies. The reverse is now the case ; and though opportunities for the renewal of dis-

It will be readily supposed, that in the course of this rapid progression in the limits of our eastern empire, changes of a material nature have taken place in the constitution of the civil and military branches of the public service. Both branches have been accordingly greatly enlarged and improved; but as it is to the latter that it will be proper that our attention should be at present particularly drawn, the following brief view has been taken of its progress.

At the early period of our commercial establishments in India, our military force was confined to the number of men, not exceeding a few hundred, chiefly Europeans, who were required for the security of our trading factories. On the coast of Coromandel the French gave the first example of training sepoys after the European mode of discipline; and it was not until the war which commenced in 1746, that troops of this description were employed on that coast, in the British service. The number of our troops was increased, as the sphere of our operations became enlarged; but in that early state of our military

turbance have not been wanting, the mass of our Indian subjects has evinced the most perfect attachment to the government that protects them. Of this fact some late forcible examples could be afforded. History cannot, perhaps, produce a more striking instance of the advantages of a mild, combined with a firm and consistent mode of government, than may be found in the present state of British India when contrasted with the former condition of that country.

history, the fate of a battle, or of a campaign, not unfrequently depended on the exertions of a party that would scarcely now be employed on the most ordinary detail of duty. The memorable victory of Plassey was obtained with a force not exceeding 900 Europeans, and about 2200 native troops.

After the peace of 1763 the regulation of the military establishment in India engaged the particular attention of the Court of Directors, and of the Indian governments; and, after a lengthened correspondence, it was placed on a footing which corresponded with the extent of our possessions at that period. The establishment afterwards varied according to the exigencies of war, and the circumstances of the times. In 1788, the whole number of officers in the service of the Company (exclusive of those of his Majesty's service) amounted to about one thousand three hundred. In 1795, the number was somewhat diminished. In 1796, the army of India was modelled according to a new and an improved system; and the regulations passed at that period introduced a very beneficial reform in its constitution. The army had, for a length of time, laboured under considerable grievances, which were brought particularly to notice in different memorials which were addressed to the Court of Directors. According to the former constitution of the Company's army, the officers could not rise beyond the rank of Colonel; the native battalions were

commanded by officers of the rank of captain; and the number of officers attached to both the European and native corps in the Company's service was very disproportioned to the nature of their duty. One of the consequences arising from this circumstance was, that the officers of the Company's army were subjected to great supercession by the officers of his Majesty's service. It had also been the practice, that officers, when required by sickness, or other causes, to return to their native country, were considered as removed from the service, and received no pay during their absence from India. These grievances were stated in some of the memorials in language of ability and moderation; and they were unquestionably such as called for redress. Accordingly, after a full consideration of the subject in this country, the improved regulations of 1796 were adopted, being founded on a principle of acknowledged liberality. The restriction, with regard to the promotion of the Company's officers to the rank of general officers, was removed, and a certain number of those officers, were made eligible for the general staff. The number of officers attached to the European and native corps in the service of the Company was generally increased, and the command of the corps was given to officers of the rank of colonel, with the usual share of off-reckonings. Officers were permitted to return to England on furlough for three years, on

full pay; and after 22 years service in India, the option of retiring on the pay of their rank was allowed. Hitherto half batta* had not been generally granted as a fixed allowance at Madras and Bombay; but by the new regulations, it was extended to the officers of those Presidencies in peace, with the allowance of full batta in war. Additional regulations were subsequently framed, tending to the further improvement of the circumstances of the army; particularly in the point of facilitating the retirement of the junior officers, in case of ill health.

The regulations of 1796 occasioned a very extensive promotion in the army of India, which has been further increased by the great augmentation which has since taken place in the strength of the military establishment. According to the latest information, the number of officers on the Madras establishment has been stated, it is believed correctly, to be near 1300; being about equal to the whole number of officers at all the Indian presidencies, previously to the regulations of 1796 †.

It was observed in one of the ablest of the me-

* The amount of the allowance called Batta, is shewn in Appendix D.

† According to the rules in the Company's service, the officers are promoted by seniority, without purchase. The officers in the Indian army have therefore had the entire benefit of the late extensive promotion.

morials which have been alluded to, that "The
 " military profession has, in all ages, and among
 " all nations, been considered the road to honour-
 " able distinction. The revenues of no state have
 " been sufficient to admit of its bestowing ade-
 " quate pecuniary compensation on those who
 " had sacrificed the invaluable season of youth
 " to the toils and hardships of the field, and de-
 " voted to their country's glory and safety the
 " time employed by others in the acquisition of
 " a provision to support a decent dignity in the
 " wane of life. Honours, therefore, and distinc-
 " tions, have always been the effectual substitute
 " ---the unbought defence of nations."

It will have been seen, from the above general
 view of the regulations established for the Indian
 army, that it was the object of those regulations
 to place it on a footing both honourable and lu-
 crative; and it is believed that no army in any
 service has ever enjoyed that advantage in a more
 eminent degree.

M. 420

Vol II

A NARRATIVE,

&c. &c. &c.

IT has been our endeavour in the preceding Introduction, to give a general view of the progress of affairs at the Presidency of Madras. The Governments of India having been during a long period engaged in almost uninterrupted warfare, a great degree of derangement ensued in the public finances, and the charges of war, combined with the accumulation of debt, led to a deficit in the Indian resources, that presented a very unfavorable aspect. A deficit existed at all the Presidencies. At Madras it had amounted for several years to a sum of great magnitude, and occasioned a heavy drain on the resources of Bengal, from whence the deficiency was chiefly supplied.

This subject naturally excited the serious attention of the authorities in England, and as a reduction in the expenditure had become indispensable to the preservation of the public interests, peremptory and repeated orders to that effect were dispatched to the Governments of India. Those orders were in a special manner addressed to the Supreme Government, who in 1807, issued particular instructions on the important subject, to the Government of Madras; and in conformity to those instructions, Lord William Bentinck, then Governor of Madras, deemed it his duty to institute a minute revision of all the establishments of that Presidency.

This enquiry led to a considerable reduction in both the civil and military charges of the service, the principle being at the same time, as far as possible, observed, of reducing only the expences attending unnecessary establishments, without making any change in the established pay and allowances of the civil or military officers. The duty of revising the military charges devolved to Sir John Cradock, at that time in command of the coast army, who discharged the trust confided to him with ability and success. But as some of the reductions recommended on that occasion have become in a great degree the alleged causes of the disaffection which has lately broke

forth in the army of Madras, it will be proper that their nature should be understood.

The reductions alluded to are, the discontinuance of subordinate commands, and the abolition of the tent contract; both which measures, but particularly the latter, have been stated as the ground of grievance.

The power of the British Government in the peninsula of India existed until within these few years in a great degree by military tenure. It has been already shewn, that the establishment of the civil authority in the part of the country now subject to the Company, was followed by the institution of courts of judicature, and by the general extension of the controul of the civil officers of the government; but, anterior to that period, a large portion of the duties properly belonging to the civil power were exercised by military officers. During the unsettled state of the public authority in India, and in particular previously to the transfer of the Carnatic to the British Government, the tranquillity of the country required the establishment of numerous subordinate commands, which were held by officers appointed to that charge, with such parties of troops as the nature and circumstances of the commands might require.—On those officers devolved a considerable share of the civil and political, as well as of the military

duties of the country ; and in the absence of other controul, it was frequently beneficial and essential that such authority should be exercised. From the entire change which has been effected in our internal relations in India, the civil administration in that country now partakes of the nature of the institutions with which we are familiarized in England ; and in these circumstances the exercise of military authority in the manner which has been stated, could be no longer required ; and was found not unfrequently detrimental, from the collision, which opposite authorities must generally produce.

In a military view the continuance of the subordinate commands to their former extent, was opposed by objections not less forcible. It was injurious to the discipline of the troops, by their separation in detached parties ; and it was injurious by withdrawing from their regimental duties the most experienced officers, as various causes combined to render such commands objects of particular ambition, which were sought by officers of the first pretensions. The change which had taken place in our internal relations, had also led to a total alteration in the lines of military defence, and stations formerly essential to the security of the country had ceased to be of importance.

These appear to have been the considerations which chiefly led to the recommendation which has been stated. The number of commands had been, for some time, progressively diminished; but at the period of the revision, made by Sir John Cradock, they amounted to between forty and fifty; and it was recommended, that the number should, in future, not exceed five or six, to be held under the special appointment of the Government.

The abolition of the tent contract having been a further fertile source of discontent, we shall proceed to explain the particular considerations in which that measure appears to have originated. The establishment of tent allowance to the officers of the coast army took place in 1802: under that arrangement a certain monthly allowance, proportioned to the respective ranks, was given to each officer, to enable him to provide himself with camp equipage; and a monthly allowance was given to the commanding officers of the native corps, for the provision of the camp equipage of their corps *. The intention of the arrangement was to combine facility of movement in military operations, with views of economy.

* The contract allowance amounted for a battalion of native infantry to 272 pagodas monthly; and to 187 pagodas monthly for a regiment of native cavalry.

In all the wars which the British army in India had been engaged, the most serious difficulty had been experienced in providing for the movement of the various equipments of the army. In the actions of Sir Eyre Coote, he was repeatedly disabled from following up his success, in the pursuit of the enemy, by the want of cattle to move the guns. In the war of Mysore, under Lord Cornwallis, the same difficulty existed; and, on the retreat of the army from Seringapatam, in 1791, it was found necessary to destroy the ordnance from the want of cattle to withdraw it. In the preparation for the attack of Seringapatam, under the orders of Lord Wellesley, in 1799, the difficulty continued, in even an increased degree. The army was not prepared, chiefly from the want of cattle, to move from the point of rendezvous at Vellore, for more than eight months after the determination to prepare for war had been adopted. The progress of the army was then greatly retarded by the defect in this essential part of its equipment, and the mortality which prevailed among the cattle more than once exposed the whole operations of the campaign to imminent hazard.

In proportion as the movements of the British army had been slow and difficult, those of the armies of Hyder Ally, and Tippoo Sultan, had

been remarkable for their celerity, an advantage which arose from the establishment of public cattle, which formed a part of the military equipment of the former government of Mysore. This establishment was on the conquest of that country transferred to the British service, on an improved and increased plan*, and its utility was, in a striking degree, evinced in the arduous operations in which the army, under the command of Sir Arthur Wellesley, was engaged, during the war which commenced in 1803 with the Mahratta Powers.

In the course of the laborious marches performed by that army, at a season of the year the most unfavorable, and through a country which the devastation committed by the troops of Holkar and Scindeah, had rendered nearly a desert, the public cattle were found equal to all the fatiguing duty on which they were employed; and in the longest and most rapid marches, the heavy artillery kept pace with the movement of the troops, in a manner that was until then, from the experience of former wars, conceived to be

* The establishment of cattle under the former Government of Mysore, amounted to between three and four thousand; and was increased by the British Government to about six thousand.

impracticable *. The public cattle were, during the whole war, in a high state of efficiency; and it was supposed that the number of casualties did not materially exceed what might have been expected during a period of peace.

This decisive proof of the efficiency in military operations, which is attainable by care, in the management of the cattle required for the purposes of an Indian army, apparently gave rise to the idea of employing the same description of cattle as had been used in the movement of the artillery of the army, in the conveyance of its camp equipage. It has been stated, that tent allowance was established in 1802; but several defects were found to exist in that part of the system which was connected with the contract for the supply of tents to the native corps; and it was, in particular, ascertained to be attended with an unnecessary degree of expence. As the internal security of the country must at all times render it necessary that a considerable part of the native army should remain in garrison, it is improbable that the proportion of the army to be

* The army in the march to Poonah, marched sixty miles in thirty hours: successive marches of from fifteen to twenty miles a day, under the most adverse circumstances from the state of the country, were frequent.

employed can, on the most extensive calculation, exceed two-thirds of its strength; but under the operation of the tent contract, the whole of the army was placed in a constant state of preparation for field service. The subject accordingly, on the revision of the establishments, attracted the attention of the Commander-in-Chief, who, in a letter addressed to the Quarter-Master General, required his opinion on a question particularly connected with the duties of his department. In conformity to those orders, the Quarter-Master General laid before the Commander-in-Chief a detailed and very able report, in which, after an accurate examination of the system of contracting with commanding officers for the supply of tents for their corps, and of that of providing and carrying the camp equipage at the public expense, that officer expressed an opinion decidedly favorable to the latter system, on the grounds of economy and of efficiency, in an important branch of the public service.

As the report of the Quarter-Master General has been exposed to great misconception, an extract from that paper has been inserted in the appendix*, in order that the nature of it may be distinctly understood. Sir John Cradock, in

* Appendix A.

laying the report before the Government, expressed his entire concurrence in the sentiments which it contained, observing, " That they were
 " the result of their joint reflection on the subject,
 " and were the issue of that experience which
 " arose from their respective situations."

Before we proceed to state the farther measures which were adopted, on the recommendation of the Commander-in-Chief, it is proper to advert to the subject of the bazar allowance, which, though discontinued in consequence of orders from England, at a period anterior to that under consideration, became a matter of subsequent attention. This allowance originated in a tax which was levied on articles sold in the bazar, or markets, of military stations, and in most cases proved a source of great emolument to commanding officers, who generally regulated the amount of the duties, and, with few exceptions, appropriated the proceeds to their own benefit. This practice continued during the unsettled period of the Company's Government in the Carnatic; but being illegal, and liable to obvious abuse, it was placed under due limitation so soon as the affairs of the Government took a more regular form. In 1802 a general order * was

* Appendix B.

published, explaining that the unauthorised collection of bazar duties in the manner practised, was a breach of the articles of war, and as such it was prohibited. As an act of indulgence, however, it was decided that a fund should be formed from certain duties to be collected under the civil authority, which fund was ordered to be divided annually, in prescribed portions, among officers holding commands of divisions or military stations. At the period of passing the military regulations of 1796, it had been expressly ordered by the Court of Directors, that the bazar allowance which had been enjoyed by officers commanding corps in Bengal, should be abolished, and the circumstance of the same order not being extended to Madras, probably arose from the unauthorized and unknown nature of that emolument. At any rate the arrangement adopted by the Government of Madras, in 1802, was disapproved, and ordered to be discontinued.

It is evident from the terms of the regulations passed in 1796 *, that it was not intended that

* Extract of a letter to the Supreme Government from the Court of Directors, containing the regulations of 1796.

“ The allowances to colonels on your establishment from the bazar duties are also to be abolished, together with every other extra allowance, not specified in the tables.”

allowances should be granted beyond the liberal scale on which the fixed pay and allowances of the army were then settled. As matter of right, therefore, the army could not be considered to have a claim to compensation for the discontinuance of contingent advantages, which had not been sanctioned. Of this nature was the bazar allowance ; and in a still more essential degree the advantage derived from the tent contract, of which the establishment was entirely founded on public and economical considerations, and was not intended to be rendered a source of individual emolument*. In taking, however, an extended view of the interests of the army, the Commander-in-Chief recommended that certain compensation should be granted, for the reductions which had taken, or which were about to take place, and that it should be so regulated as to combine liberality with the object of affording an excitement to officers in the discharge of their regimental duties, and of encreasing the scale of allowances in war, beyond their amount in peace. As we shall have occasion to recur to this subject, we

* What the extent of the advantage derived by commanding officers of corps from the tent contract may have been, there are not the means of correctly ascertaining ; it may be, however, inferred that it was considerable, and the tendency of such a source of emolument must be obvious.

shall only at present observe, that the suggestions of the Commander-in-Chief on the various points of military reduction and arrangement, received the entire concurrence of the Governor Lord William Bentinck.

At this time a change in the Government of Madras took place, by the embarkation of Lord William Bentinck, and shortly after of Sir John Cradock, for England. On the departure of Lord William Bentinck, in September, 1807, the temporary charge of the Government devolved to Mr. Petrie, who recorded, in strong terms, his concurrence in the grounds on which the different recommendations had been founded, particularly that for the abolition of the tent contract. The result was, that it was unanimously recommended to the Supreme Government in Bengal, that the measures in question should be carried into effect.

The command of the coast army having become vacant by the departure of Sir John Cradock, Lieutenant-General Macdowall succeeded to that station by the appointment of the Court of Directors. It is proper to observe, that considerable disagreement had for some time existed in the Council of Madras, in the course of the preceding administration; and that discussions of a very inconvenient length had ensued on

various public topics. Such discussions must be at all times embarrassing, and injurious to the interests of the public service; and this consideration apparently led to the temporary interruption of the system under which the Commander-in-Chief at Fort St. George had usually held a seat in the Council of that Presidency. Regarding the competency of the Court of Directors to exercise their discretion on this point, the Act of Parliament, passed in 1793, can leave no doubt; and there were examples, to shew that a seat in Council was not essential to render the command of the army highly efficient. The Court of Directors, in consequence, adopted a resolution, that the Commander-in-Chief at the subordinate Presidencies should not hold a seat in Council; which equally extended to Bombay as to Madras. The nomination of General Macdowall to Council, accordingly did not accompany his appointment to the command of the army of Fort St. George.

General Macdowall did not disguise the feelings which he entertained on this subject, and the dissatisfaction which he felt was sufficiently expressed, though it was evident that the measure in question was founded on considerations which could have been in no shape personal to him. The proper course apparently would have been, that General Macdowall, entertaining the im-

pressions he professed to feel, should have declined the command of the army; or if he accepted it, he should have waited the result of a reference to the authority which was alone competent to remove the cause of complaint. In entering on an important and confidential trust, it must be clearly the bounden duty of every officer not to suffer his private feelings, or the expression of those feelings, to obstruct the fulfilment of the obligations which he owes to the state.

We have now briefly described the situation of affairs at Madras to the period when Sir George Barlow assumed charge of that Government, about the end of December, 1807.

In February or March, 1808, a letter was received from the Supreme Government, conveying their sentiments on the reference which had been made, during the government of Mr. Petrie, regarding the proposed military arrangements. Those arrangements were, in general, approved; and orders were, in particular, given for the abolition of the tent contract; and for the discontinuance of subordinate commands in the manner recommended; it being at the same time suggested, that the number of those commands might be further limited, or that they might be entirely discontinued.

On the receipt of the above letter, it became the duty of the Government of Madras to carry into effect the orders of the Supreme Government. So soon accordingly as the preparatory arrangements were completed, a general order was published, dated in May, 1808, ordering the tent contract to be abolished ; and in June following, the abolition of the inferior commands took place. We have stated, that Sir John Cradock, in recommending different reductions in the military allowances, at the same time recommended that a certain compensation should be given under a different form of allowance. The outline of that compensation was, that commanding officers of corps should receive the full batta of their rank in peace, and the full batta of the next superior rank, in the field : that officers holding Government commands should draw the batta of the next superior rank ; and that officers exercising the command of bodies of troops, consisting of two or more corps, should in camp or garrison, receive brigadiers' allowance.

The Supreme Government, in sanctioning generally the measures proposed by Sir John Cradock, did not sanction that part of the arrangement which related to the payment of brigadiers allowance, during peace. But in carrying the different measures into effect, the

Government of Madras on the particular recommendation of Sir George Barlow, decided to grant, without limitation, the whole allowances which Sir John Cradock had recommended, subject to the confirmation of the Court of Directors. The Government farther extended, on the same recommendation, those allowances, by encreasing the number of Government commands, and by augmenting the stations where brigadiers' allowance was made payable, considerably beyond the scale originally proposed. General Macdowall, in a letter which was received from him, on the subject of this arrangement, expressed his satisfaction at the liberality of the Government, and his opinion that the army had cause to be satisfied*.

About this time the following private letter was received from a most respectable officer of his Majesty's service at Hydrabad, stating that an attempt had been made to agitate the question of placing the coast army on the same allowances as the army of Bengal, and explaining the means which he had, with spirit and judgment, used for the purpose of checking its progress.

* Appendix C, D.

Hydrabad, May 4th, 1808.

MY DEAR ———,

I told you in my last that a letter was in circulation for public signature, Mr. ———, ———, here put it into my hands to read. I told him I totally disapproved of it, and begged that he would not set it about in this cantonment. I thought he might have been deputed to circulate it, and that I had put a stop to it: but, about two hours after, I got a note from Captain ———, ———, who commands a battalion here, with another edition of the same letter, and the names of all his officers as approving. It was addressed in circulation to the officers of the cantonment; and he “ begged I would oblige “ him by giving a perusal to the officers of the “ ——— regiment.” I was certainly angry at his sending it in this manner to me; and I sent him the reply, which I enclose, together with a copy of the letter that is in circulation.

In the evening the tappal brought me a short letter from Major ———, at ———, enclosing what he called a card (and which I here enclose,) proposing that such a thing should be done, so that it does not appear to be absolutely determined on, but only seeking for support. I shall

be extremely sorry to find that any King's officers enter into the business. In reply to Major ———, I have sent him a copy of my letter to Captain ———; and as I know it will be talked of, perhaps with exaggeration, I have requested ——— to shew it, and to make it known to every assembly or correspondent on the subject. I shall be abused, but I don't care. I have been told, that one of our other commanding officers has got such a letter, but did not communicate it to the officers of his corps. Our officers, at least those here, will not listen to it; and I have written to ———, to give him my ideas. You may, or you may not, have seen the letter. Pray tell ——— what I have done.

Your's,

(Signed) ———.

To the Right Honorable Lord Minto,
Governor General in Council, &c. &c. &c.

MY LORD,

The public declarations of the Honorable the Court of Directors, regarding the placing the army on the establishment of Fort St. George, on a similar footing with respect to

pay and allowances as our fellow soldiers in Bengal, impressed the officers of his Majesty's and the Honorable Company's service, with confident hopes that an arrangement to that effect would long prior to this period have been carried into execution.

Having patiently waited in anxious and respectful silence, hoping that a claim founded on impartiality and justice would have attracted the favorable notice of our superiors, we trust our long forbearance will appear to your Lordship to give additional weight to a cause where the interests, future prospects, and welfare of so many are deeply concerned.

It is almost superfluous to press upon your Lordship's attention the advanced prices of every European article of consumption; the enhanced value of the common necessities of life, and increase in the wages of every description of domestics.

It seldom happens, that with the most rigid economy, the present pay and allowances can meet every reasonable demand, in the different ranks of the army.

Independent of those urgent and pressing considerations, we humbly conceive that our services in the field entitle us to an equal participation of rights, with the most favored troops in India.

For these reasons, and with these impressions, we respectfully and warmly solicit your Lordship to take this our earnest request into your serious consideration, that the same pay, full batta, gratuity, and tent allowance, and also for the payment of companies, which is granted to the Bengal army, may be given to his Majesty's and the Honorable Company's army serving under the Presidency of Fort St. George.

Justice gives us confident hopes of your Lordship's support; and impartiality leads us to expect the favorable decision of the Supreme Government.

Secunderabad, May 2d, 1808.

SIR,

I have received the papers addressed "In circulation to the officers of the cantonment," and which, by a private note, you request me to circulate to the officers of the ——— regiment.

You do not seem to be aware that such proceeding carries with it a degree of opposition to the will of Government, nearly approaching to mutiny.

In no instance can circular letters requiring redress be countenanced by military authority;

but in this letter some expressions, and the general tenor are of that description, as must appear to Government extremely disrespectful, and totally inconsistent with military subordination.

As such I can, on no account, think of circulating it in the — regiment, or even give my sanction to its being circulated in the cantonment.

Were the letter couched in terms less exceptionable, I know not on what grounds, either I myself, or perhaps any one officer in your corps, who have thought proper to put their signature to the letter, could do so. Is there any one of you who has seen the orders of the Court of Directors alluded to? I have always understood their orders to be of a contrary tendency; that the officers of the establishment of Fort St. George must never presume to draw comparisons between their situations, and what the Supreme Government think proper to adopt for Bengal. Neither am I able to state, or do I think any officer of your corps can state, the particular difference between the pay of the Bengal and coast army.

Let me call your attention to the second paragraph of the letter, and request you to consider, whether the words “ forbearance, impartiality, and justice,” are expressions to be made use of in addressing a superior authority?

Recollect also, that the letter has not the signature of any other officers to it. How do you know but you may be the only officer or corps in the service, that has approved of the letter and measure? As no signature appears to the letter, it may be possible, and is highly probable, that many officers, to whom it may have been presented, have refused to give their sanction. Thus you will appear to be at the head of remonstrance to Government, nearly approaching to mutiny; and thus I must look upon you, as the head of a system of insubordination in this cantonment.

Under this idea, therefore, it is my order, that you immediately assemble the officers who have put their signature as approving the measure, and read to them these my sentiments: acquainting them, that as I see no authority for supposing that the measure originated elsewhere, I must, unless you immediately withhold from circulating the letter farther in this cantonment, consider you as the first promoter of insubordination among the troops under my command, and report your conduct in that light to the Commander-in-Chief.

(Signed)

_____,
_____.

To Captain _____,
_____.

(Copy) From Major ———.

The officers of His Majesty's and the Honorable Company's service at this station, propose sending to the Governor-General, a respectful address, soliciting to be placed on the same footing with respect to pay, full batta, &c. &c. &c. which is drawn by the Bengal army, agreeably to the Court of Directors' orders on that head. They therefore request to know, if the officers of His Majesty's and the Honorable Company's troops, serving with the Hyderabad subsidiary force, will support the same. Similar communications have been made to other stations; and, in the event of its becoming a general cause, it is also requested, that the mode and time of sending in the address be considered; and an officer or two mentioned, with whom the gentlemen of this station may hereafter correspond.

25th April, 1808.

General Macdowall was at this period absent from the Presidency on a military tour; but nearly at the time of the receipt of the above letter, a letter addressed to Sir George Barlow, of which the following is an extract, was received from General Macdowall.

The Honorable Sir GEORGE BARLOW, Bart.
and K. B.

It has just been privately notified to me, that the army have recently agitated the question of the comparative state of the Bengal and the coast allowances, and I find, that an address has been circulated, praying that the Governor-General will place the military establishment of Fort St. George on a similar footing to that of Bengal, in conformity to the declarations of the Court of Directors.

Having no recollection of any such intention being entertained by the Court, or of any promise being made upon this subject, I presume that the officers who have stepped forward have acted under a mistaken notion; in any event however, it will demand the most serious deliberation to effectually check the spirit of remonstrance which perhaps extends further than we are aware of.

If the Honorable Court have held out any prospect of the nature alluded to, the army, having formerly gained so many points by representation, will naturally expect relief; but, until the fact is established, it is in vain to argue upon it.

Many people are likely to view the present application as a futile and puerile attempt, and unworthy of further notice ; but my judgment and experience leads me to believe that the seeds of discontent are very widely disseminated ; and almost every individual in the service is more or less dissatisfied. Every man must be sensible of the causes which have led to this position. The abolition of the bazar fund, first ; and lastly, the degradation of the military character, from the Commander-in-Chief to the youngest ensign : the late reductions, and especially the abrogation of the tent contract, are, among others, prominent features ; and I must lament the expediency which occasioned these disgusting measures.

The question at present seems to be in what stage of the business it ought to be opposed, and the manner.

Nothing can be more simple than publishing an order, highly disapproving of the nature and tendency of the memorial to Lord Minto ; and stating that any officer, who shall encourage similar remonstrances, shall incur the severest displeasure of Government : will this have the desired effect ? And should the G. O. be promulgated now, or when the letter shall be forwarded to the Governor in Council ?

It will be very easy for me to decline trans-

mitting the address, and to express my own sentiments; but will this mode be correct?

I trouble you with these few suggestions, and shall be glad to be informed of your opinion: you were in Bengal during the convulsions in the army, and the subject must be familiar to you.

I am extremely desirous to see the paragraph of the letter from the Court of Directors which is alluded to, and beg you will send me a copy of it.

May 16th.

(Signed) HAY MACDOWALL.

The tenor of the above letter might be liable to considerable observation; but it is sufficient to say, that it was replied to in terms of temper and firmness. It was pointed out, that the orders of the Court of Directors were in direct opposition to any claim such as that which had been agitated; and that the circulation of addresses in the army, without previous sanction, was a breach of the repeated orders of the Government. General Macdowall was requested to use his own discretion in taking such means as he might think best for checking farther proceed-

ings of this nature. In consequence of this communication, a circular letter, of which the following is an extract, was addressed under the orders of General Macdowall, to the officers commanding the principal divisions of the army.

To the OFFICERS commanding the principal
Divisions of the Army

SIR,

I am directed by his Excellency the Commander-in-Chief to acquaint you, that he has been informed, there is an address to the Governor-General in Council, in circulation at certain stations of the army, on the subject of the allowances of the army on this establishment being equalized with those under the Presidency of Bengal.

The information communicated to his Excellency induces him to believe, that the address which is said to have been circulated to the army, has not derived its origin from a quarter to which particular weight should be attached; but no doubt can be entertained of the propriety of adopting the earliest measures for checking

proceedings of so reprehensible a nature, from whatever quarter they may have arisen.

His Excellency is not aware of any order or declaration of the Court of Directors, of the nature of that to which the memorial alludes. On the contrary, the Honorable Court has, in numerous instances, rejected claims both in the civil and military branches of the service, founded on a comparison of the allowances at the different Presidencies. And they have repeatedly prohibited the agitation of questions calculated to establish the principle on which the claim in the memorial is founded.

The memorial, however, is liable to other serious objections. It is, in its tendency, a direct breach of the orders of the Government, published under the direction of the Governor-General in Council, on the occasion of the discussion respecting the distribution of the prize money captured at Seringapatam.

Those orders prohibit, under the strongest injunctions, the publishing of any address to the army, or to any division of it, without previous sanction. Similar orders have been issued, on other occasions, which will probably occur to your recollection.

It is therefore incumbent on his Excellency the Commander-in-Chief, to exert his authority for

the suppression of the memorial supposed to be in circulation, and for bringing to punishment those who may have been most active in supporting it, if unhappily it should be brought before him, in such a form as may render it necessary for him to take the subject into public deliberation.

His Excellency is satisfied that you will agree with him, that it will, on every account, be desirable to avoid the necessity for so painful a course of proceeding, and consequently that it is of importance, that your authority and influence should be exerted for that purpose as soon as possible. Your own judgment and experience will best determine the proper course to be pursued.

It appears to his Excellency, however, that an early declaration of your sentiments on the subject may be sufficient to recal any officers who may have been induced to give support to the memorial, to a proper sense of their duty, and to put an end to such reprehensible conduct as that of circulating correspondence calculated to excite a spirit of discontent and insubordination in the army.

His Excellency desires that this letter may be confidentially communicated to every European officer under your command, and that you will report to him any other steps you find it

necessary to take, to put a final stop to such
unmilitary proceedings.

Head Quarters,
26th May, 1808.

(Signed.)

We have been thus particular in detailing the above correspondence, as the sequel will evince its near connection with that which afterwards occurred; and, as this was the forerunner of the extensive demands which were afterwards pressed on the public attention. To all appearance the circular letter of General Macdowall was judicious and proper; but the sequel unhappily did not accord with the expectations which that letter might have given encouragement to entertain.

A communication was subsequently received from the Secretary of the Commander-in-Chief, stating, that the replies to the letter which had been circulated, were entirely satisfactory. Information, however, which reached Sir George Barlow, from other quarters, led to a different conclusion, in so far at least, as related to the efficacy of the Commander-in-Chief's orders; and there appeared strong reason for the belief, that the agitation of the question of allowances had not been abandoned. The further enquiry

which was in consequence made, confirmed this belief; though it also appeared, that there were not then the means of more distinctly establishing the fact. These occurrences took place in the months of May, June, and July, 1808; and in September or October, General Macdowall returned to the Presidency, where means, it is understood, were again without success used, to obtain from him some precise information as to the truth, or otherwise, of the rumour in question.

Matters remained nearly in this state until the beginning of the following year, at which time General Macdowall announced his intention of embarking for England by the fleet then about to be dispatched. As it was at this period that the circumstances occurred, which led to the removal of General Macdowall from the command of the army, we shall explain those circumstances in the order in which they took place.

It has been seen that the abolition of the tent contract was carried into effect in May, 1808.— This measure was far from being satisfactory to a considerable part of the army, and active means were used to impress the belief, that it was a measure of wanton injury to their interests, and was not founded in any public necessity or expediency. All those who were understood to be concerned in the reduction of the contract became

in a high degree unpopular; and above all, this feeling was directed against the Quarter-Master General, whose report had formed the basis of the proceeding. The combination gradually became general, and a direct charge, signed by twenty-four officers, commanding corps, was at length preferred against the Quarter-Master General, on the ground of his having used, in the report, certain observations, tending to the injury of their reputation and characters. This charge, it afterwards appeared, was forwarded to General Macdowall, about the end of September, 1808, but its existence was only understood as matter of rumour, until the period approached for the General's embarkation; and the course which General Macdowall might propose to pursue, was, until then, entirely unknown.

The first intimation which the Government received on this subject, was conveyed in a letter from General Macdowall, dated 20th January, 1809, concisely stating, that he had placed the Quarter-Master General in arrest, without, however, explaining the motives of that measure. This was soon after followed by an appeal from the Quarter-Master General, who represented, that as General Macdowall had refused to lay his appeal before the Government, he had felt it his duty to forward it by a direct communi-

cation. The letter of the Quarter-Master General, with the other correspondence connected with this subject, has been inserted in the appendix *, and affords an account equally true and clear, of the unexampled difficulty in which he had been placed.

In proceeding to consider the course of measures which the Government pursued, under these circumstances, it is proper to recur to the situation of affairs at that time. We have seen that the abolition of the tent contract originated in the view which the late Commander-in-Chief, Sir John Cradock, had formed of that subject; that, under the Commander-in-Chief's express orders, the Quarter-Master General had submitted his sentiments on the question; that the report of that officer had received the warmest approbation of the Commander-in-Chief, and of two successive Governors at Fort St. George; and that, under the sanction of those authorities, it had been submitted to the Supreme Government, who entirely adopted the sentiments which it conveyed, and who, strongly concurring in the expediency of abolishing the tent contract, ordered the measure to be carried into immediate effect. In what the Quarter-Master General did,

* Appendix from E to R.

he had in no shape or degree exceeded the duty which it was indispensable for him to perform. He had executed that duty ably, and he had an undoubted right to look for that protection to which public officers have a just and legal claim. To suppose the existence of an opposite principle would be to shut the door against every species of reform; to perpetuate abuses, and to expose to the worst of oppression every officer placed in a situation of public confidence and trust, by subjecting his conduct to the judgment, not of his superiors, but of the persons who might suppose their interests to be affected by his opinions.— In referring to the report of the Quarter-Master General, it appears difficult to imagine that the officers who preferred the charge in question could under the most tortured construction, have seriously believed, that any part of it was meant to convey a reflection personally injurious to them. To every unbiassed judgment, the report can appear in no other light, than as an able paper, founded on a comprehensive view of facts, and containing inferences derived from the clear immutable principles of human nature. This paper was prepared and delivered to the Commander-in-Chief, under that seal of confidence which must be understood to attend the preparation of all official papers of that nature.—It

was not intended to be exposed to public inspection and comment ; but one can scarcely suppose any record of the kind, to be so perfectly unexceptionable, and so little an object of cavil. In taking a connected view of all the circumstances, the impression must be strong, that it was in the diminution of pecuniary advantages, and in that source only, that the charge against the Quarter-Master General derived its origin.

It was understood that General Macdowall had, at an early stage of the correspondence which took place in the army, concerning the abolition of the tent contract, professed his intention of abstaining from any interference regarding it, as it was not a measure in the adoption of which he considered himself to be concerned. This passive line of conduct could apparently be scarcely reconciled to the duties which General Macdowall owed to his station as Commander-in-Chief, to whose immediate province it undoubtedly belongs to repress all acts tending to the excitement of combinations, and of insubordination, in the army.—It would, however, have been happy, if a line merely passive had been observed ; but, by the course which General Macdowall took, he not only departed from that line, but warmly espoused the cause of the persons who were most active in promoting the

reprehensible proceedings, and became an active prosecutor of the officer who had unjustly been rendered the object of their violence.

The charge against the Quarter-Master General appears to have been referred by General Macdowall to the Judge Advocate General for his opinion, on the 1st of November, 1808, and on the 7th of that month the Judge Advocate General submitted, in consequence, a detailed and very able report, in which he stated his decided opinion that the charge was of an illegal nature; and that it was, on every ground of legality and of justice, essential that protection should be given to the Quarter-Master General in the execution of his duty. The reasoning of the Judge Advocate General was supported by facts and authorities which were apparently incontrovertible; and it might have been expected, that coming, as it did, from the constitutional legal adviser of the Commander-in-Chief, it would have been received with attention. The subject, however, remained in suspense for upwards of two months, and the opinion which the Commander-in-Chief ultimately followed, was not the opinion of his legal adviser, but one which is stated to have originated in a source of a very different description. After this delay, and after the Commander-in-Chief had about an hour before, informed the Quarter-

Master General that he meant to leave the question to the consideration of his successor, the arrest of that officer was ordered *.

Such was the state in which this question was brought before the Government. On receiving the appeal of the Quarter-Master General it became necessary to ascertain, under official authority, the legal right of interference which the Government might possess in a case so entirely novel. The subject was accordingly referred to the Advocate General † at Madras, who was also directed to communicate regarding it, with the Judge Advocate General, in order that the Government might have the benefit of their joint opinions. The reply of the Advocate General was decided as to the right of interference. That law officer submitted at the same time, the report ‡ that had been laid by the Judge Advocate General before the Commander-in-Chief, and which was then

* This measure excited great surprise and regret in the minds of some of the Commander-in-Chief's most confidential staff; a feeling, of which they made no secret.

† It may be proper to explain, that the duty of the Advocate General at Madras is nearly similar to that of the Attorney General in this country. The Judge Advocate General is a military officer, and is the legal adviser of the Commander-in-Chief.

‡ Appendix E.

for the first time brought under the notice of the Government. From these papers it appeared that both those law authorities concurred in the view which they took of the proceeding relative to the Quarter-Master General; both considering it to be a measure full of injustice towards the individual, and full of danger to the public interests.

It is not irrelevant in this place to observe, that the civil and military control at the different Presidencies in India, is, by Act of Parliament, vested in the Governors in Council at those Presidencies*. This is not a new arrangement, but has been the gradual operation of different Acts of Parliament passed since the establishment of the British power in India; the object of which has been to give that degree of strength and

* " And that the whole civil and military Government of the
 " Presidency of Fort St. George, on the coast of Coromandel,
 " and the ordering, management, and government of all the
 " territorial acquisitions and revenues on the said coast, and
 " also so much and such parts of the territories and possessions
 " on the coast of Orissa, with the revenues of the same, as have
 " been and now are under the administration of the Govern-
 " ment or Presidency of Fort Saint George, shall be and are
 " hereby vested in a Governor and three Counsellors of and for
 " the said Presidency of Fort Saint George, subject to such
 " rules, regulations, and restrictions as aforesaid." Act of
 1793, 24th clause.

unity to the civil and executive authority, which is essential to the maintenance of our Indian empire. The dangers of a divided power in that empire were, at an early period, foreseen by the person who may be considered as its founder, and whose fame and honors grew with the formation of our eastern army. The following extract of a letter addressed by the late Lord Clive to the Court of Directors, in September, 1765, conveys his Lordship's sentiments on this subject.

" I proceed to recommend to your consideration, that the regimenting of the troops has introduced a much larger number of officers of rank, than has hitherto been admitted upon your establishment, and that this regulation, beneficial and necessary as it is, will, notwithstanding, be productive of one dangerous evil, if not constantly guarded against by the authority of the Governor and Council, supported and enforced by the higher powers at home. The evil I mean to apprise you of, is the encroachment of the military upon the civil jurisdiction, and an attempt to be independent of their authority. A spirit of this kind has always been visible ; our utmost vigilance therefore is requisite to suppress it, or at least to take care that it shall not actually prevail. I have been at some pains to inculcate a total

“ subjection of the army to the Government, and
 “ I doubt not you will ever maintain that prin-
 “ ciple. In the field, in the time of actual service,
 “ I could wish to see the commander of your
 “ forces implicitly relied on for his plan of ope-
 “ rations. Orders from the Presidency may
 “ frequently embarrass him, and prejudice the
 “ service. At such a time he is certainly the
 “ best judge of what measures should be pursued,
 “ and ought therefore to be trusted with discre-
 “ tionary power. But he should, by no means,
 “ be permitted to vary from the fixed general
 “ plan of a campaign, nor from his own idea of
 “ the Company’s interest, to prosecute operations
 “ of importance, when they are not also of great
 “ utility and emergency.—I dwell not, however,
 “ entirely upon the conduct of a commander of
 “ the forces as such in the field: he is to under-
 “ stand that, upon all occasions, a gentleman in
 “ council is his superior, unless he also has a
 “ seat at the Board; and then he will, of course,
 “ rank as he stands in that appointment. The
 “ whole army should, in like manner, be subor-
 “ dinate to the civil power, and it is the indis-
 “ pensable duty of the Governor and Council
 “ to keep them so.—If at any time they should
 “ struggle for superiority, the Governor and
 “ Council must strenuously exert themselves,

“ ever mindful that they are the trustees for the
“ Company in this settlement, and the guardians
“ of public property under a civil institution.”

The powers vested by Act of Parliament, in the Governor in Council, do not suppose an habitual interference with the exercise of the military authority vested in virtue of his warrant in the Commander-in-Chief; but they suppose, and they convey, an absolute right of control, for the prevention of any abuse of that authority that may be essentially detrimental to the public welfare.

Regarding the right of the Government to interfere in the case which formed the ground of the appeal made by the Quarter-Master General, there could in the stated circumstances be no question. A question, however, might have, perhaps, still remained, how far Sir George Barlow might, consistently with his own convenience, and with prudential considerations, be disposed to exert the power which, as Governor in Council, he legally possessed. The abolition of the tent contract had been a measure discussed and decided upon by authorities independent of his control, and Sir George Barlow had done no more on that point than carry into effect the instructions received from the Supreme Govern-

ment. Reasons sufficiently plausible might not, in consequence, have been wanting to justify a neutral line of proceeding, and for leaving to the disposal of the Commander-in-Chief a question, on which he, and a large portion of the army, had expressed sentiments sufficiently decided.—Such an act could not have failed to be in a high degree popular, and to have relieved the Government of a considerable share of that responsibility which it was then impossible to incur without the certainty of its being attended with heavy odium. The example of abandoning the acts of his predecessors, had been set by the Commander-in-Chief; and it might have been said, perhaps with plausibility, that whatever the consequence might be, it was to him, and him only, that blame could be attached.

Fortunately for the interests of his country the conduct of Sir George Barlow was regulated on a more elevated principle of public action. The Government felt that it was impossible that the prosecution of the Quarter-Master General could be permitted to proceed, without involving the discussion before a Military Court of the acts of a preceding administration, and without referring for trial the conduct of the high authorities by whom the measures had been sanctioned and adopted. The Government also felt that the

prosecution could not fail to terminate in the sacrifice of a meritorious public officer, who, it was sufficiently evident, from the information then possessed, was already pre-judged, and for whom the semblance of justice, in any public trial, would have been in vain expected. It was obvious, that consequences of that nature, independently of their individual injustice, must ultimately weaken, to a great extent, the public authority, and destroy the foundations of public confidence. Under these considerations, the Government decided to pursue a line of proceeding suitable to the difficulty. A letter was addressed to General Macdowall, conveying, in forcible, but mild terms, the expression of those feelings, which the arrest of the Quarter-Master General had excited. It was suggested, in the most earnest manner, for General Macdowall's consideration, that "the act on which it appeared
"that the charge preferred against Lieutenant
"Colonel Munro had been founded, was then
"the act of the Government, having been ap-
"proved and adopted in the most public and
"formal manner, both by the Government of
"Fort St. George, and by the Supreme Go-
"vernment. The Governor in Council was
"called upon, therefore, to state that he could
"never give his concurrence to the exposure of

“ a public officer to obloquy and degradation,
 “ for opinions which he might have expressed in
 “ the fulfilment of his public duty, approved
 “ and confirmed as those opinions had been by
 “ every competent authority.”—It was stated,
 “ That the Governor in Council had looked in
 “ vain for any just cause of complaint, that
 “ it might be possible, by any construction, to
 “ attach to the opinions of the Quarter-Master
 “ General, and that such a consideration must
 “ add to the weight of public obligation imposed
 “ on the Government, to give its firmest support
 “ to an officer, against whom no other charge was
 “ apparently imputable, than that arising from
 “ the faithful and conscientious performance of
 “ his public trust.”

It will be observed, that a measure so materially
 involving the interests of the Government, and
 which might have been eventually fatal to all
 public authority, was not only adopted by the
 Commander-in-Chief, without any communica-
 tion of his intentions; but this proceeding was
 aggravated by reasons in the greatest degree
 offensive and injurious to the Government, having
 been assigned by the Commander-in-Chief, in
 justification of the act*.—It was however stated,

that the Governor in Council was "willing to
 "wave all considerations of that nature, his
 "views being solely directed to the means best
 "calculated to preserve the foundations of public
 "confidence, and of public authority;" and the
 communication was confined to an earnest request,
 that the arrest of the Quarter-Master General
 should be removed.

A letter was received from General Macdowall
 in reply to the above communication, stating that
 (for reasons which will no doubt appear of the
 most insufficient nature) he was under the neces-
 sity of declining to comply with the recommend-
 ation of the Government; which had been so
 earnestly urged. General Macdowall withheld
 all acknowledgment for the offensive expressions
 which he had used; and further stated his inten-
 tion of preferring an additional charge against
 the Quarter-Master General, for disrespect to
 his authority, in "presuming to address Govern-
 "ment *."

* It may be proper to observe, that the regular channel of
 appeal to the Government in India, by any military officer, is
 through the Commander-in-Chief. Cases, however, may arise,
 and have occurred, to justify a departure from that rule. In
 those cases it rests with the Government to decide whether
 the reasons are, or are not, sufficient to justify the deviation.
 In the instance in question, the Quarter-Master General was

The reply of General Macdowall compelled the Government to take a decided line, for the preservation of order and justice, and of its own authority. A letter was accordingly transmitted to General Macdowall, explaining that the Governor in Council considered the communication which had been addressed to him as equivalent to an order, and he was called upon to state whether, under that explanation, it was his intention to decline a compliance. The further reply received from General Macdowall was to the effect, that "if the Government persisted in sending him an order for the release of Lieutenant-Colonel Munro from arrest, he must submit;" but he protested against the measure for reasons which he stated. The Government did not, on the receipt of that communication, hesitate to dispatch an order, directing that the removal of the arrest should immediately take place.

We have endeavoured to give a concise out-

perfectly in the regular course. He first addressed himself to the Commander-in-Chief, who refused to forward his appeal; and, on that refusal, he submitted it direct, conceiving, with perfect truth, that it was a question deeply interesting to the Government itself. Without that reference, the Government could have had no correct knowledge of the events which had occurred, or of those which were likely to follow.

line of the above correspondence between the Government and the Commander-in-Chief. In that correspondence it was the apparent object of the Government to temper firmness with moderation, and it was hoped that, in the adoption of the resolution which has been stated, the discussion had for ever terminated *.

* The Commander-in-Chief, on the day after receiving the final orders of the Government, forwarded a memorial, addressed to the Court of Directors, and signed by almost the whole of the commanding officers of native corps, on the subject of the charge preferred against the Quarter-Master General, from which it appeared that it was the wish of these officers that the prosecution of the Quarter-Master General should not take place, in consequence of the declared opinion of the Judge Advocate General, as to the illegality of the charge. The Commander-in-Chief stated, that he had not "seen" that memorial at the time when he ordered the Quarter-Master General to be placed in arrest.

The Commander-in-Chief may not have *seen* the memorial; but that he should not have *known* of it, must be, in any view, either from the knowledge which, as Commander-in-Chief, he was bound to possess, or, as connected with the part he had taken in the recent proceedings, appeared in a high degree improbable. Still more improbable is it, that General Macdowall should not have known of the memorial, when, on the 25th of January, (three days before the transmission of that paper,) he refused to release the Quarter-Master General from arrest, on the earnest request of the Government; and that it was not until the precise moment of the

The attention of the reader has been directed in a preceding part of the narrative, to the correspondence which occurred in the question of allowances; and to the sentiments which were expressed by General Macdowall on that question. In the progress of the discussion relative to the arrest of the Quarter-Master General, this subject was again revived in a shape very little expected. On the 23d of January, a letter was received from General Macdowall, enclosing a memorial, which was signed by a large portion of the officers of the Company's army, and which contained demands of a very extensive nature.—The prominent grievances stated in that memorial was the reduction of the bazar allowance, and of the allowances attached to subordinate commands; the abolition of the tent contract; supposed partiality shewn to King's officers; the circumstance of the coast army not having the same allowance as that of Bengal; and the circumstance of the Commander-in-Chief not having a seat in council. These supposed grievances are expressed in a

attempt to bring the Quarter-Master General to trial being frustrated, that the memorial was brought to his knowledge.

The Government thought it proper to return the memorial, as the transmission of it was an evident attempt to revive a subject already decided.

tone of disrespect and of violence, reprehensible under any circumstances, but rendered more especially so by the groundless nature of the complaints*.

The following is a copy of the Commander-in-Chief's letter, which accompanied the memorial, to which he refers as a temporary statement of grievances.

GEORGE BUCHAN, Esq. Chief Secretary to
Government.

SIR,

Placed at the head of an army of near seventy thousand men, commanded by as brave and patriotic a body of officers as ever did honor to the profession of arms, it is a duty I owe to them, and to the high situation I hold, to do every thing in my power to protect their rights, and to redress their grievances.

The accompanying memorial from the officers composing the Madras army, and addressed to the Honorable the Court of Directors, is so fully expressive of their feelings, and states so temperately their several complaints, that it cannot fail

* The memorial is inserted in the Appendix, together with the observations arising from the consideration of that paper.

to make a deep impression on the minds of the representatives of the East India Company.

While cheerfully performing their duty amidst the alarm and peril incident to a soldier's life, they have gradually witnessed the annihilation of every emolument that could have afforded present comfort, or have held out, though at a remote period, a prospect of future competency, and a hope of revisiting their native land ; they are now reduced to a bare subsistence, and are doomed to pass their lives in this remote and unwholesome climate, without a chance of ever beholding their families or connexions.

Such a situation must warmly interest the mind of the humane and liberal; and should their appeal acquire the additional aid of the recommendation of the Honorable the President in Council, joy will be diffused in every countenance, and success must follow if their cause is espoused by a just and generous Government.

I have the honor to be, Sir,

Your very obedient,

Madras, January 23,
1809.

humble servant,

(Signed)

HAY MACDOWALL,
Lieut. Gen.

The progress of this question cannot fail to draw particular attention. When the combination was first formed, every means were tried in vain by the officers of the Company's army to induce the officers of his Majesty's service to engage in their factious and insubordinate proceedings. Having failed in this attempt, the officers of his Majesty's service are rendered an object of attack, and the well-earned advantages in the public service, which they enjoy on grounds of indisputable claim, are held forth as a source of grievance and of clamour. The combination proceeded in consequence amongst the Company's officers only, and as has been seen, rapidly extended through a large portion of the army. The representations quickly rose from the demand of Bengal allowances, to a long detail of grievances, of which redress is demanded, in a tone not to be misunderstood.

The course taken by General Macdowall, on this occasion, must strike the mind with surprise and with pain, and the attention is apt to be bewildered in the inconsistencies which it exhibits. In the early stage of the subject, we find General Macdowall expressing satisfaction at the liberality shewn by the Government in regulating the military allowances; we find him, with seeming earnestness, consulting the opinion of Sir George Barlow, as to the most effectual means of stop-

ping any further application on that subject, and issuing very strong orders, by which officers are held responsible for the consequences of engaging in such attempts. On the other hand, it is found that the orders of General Macdowall are not only disobeyed by a large portion of the army under his command, and to an extent far exceeding that to which the prohibitory orders were applicable; but we find him become the advocate of their disobedience, and supporting their unqualified demands, in a style of pompous eulogium.

It was the study of the Government throughout the embarrassing matters of discussion, which were pressed on its attention about the period of General Macdowall's departure, to preserve every degree of temper and moderation. In reply to his letter, General Macdowall was concisely informed, that it was impossible that the Governor in Council should not view, with extreme disapprobation, the sentiments expressed in the memorial which he had submitted; but that it would be considered proper to postpone any final orders regarding the disposal of that paper, until it could be submitted to the consideration of the Supreme Government.

It may be easily imagined, that the discussions which had occurred, involving the views and in-

terests of nearly the whole of the military establishment, did not fail to excite a great degree of ferment in the public mind. But the extent of the difficulty would be very imperfectly understood, unless it should be at the same time known that the agitation was very far from being confined to the military, but extended, in nearly an equal degree, to the civil branches of the service, and that the factious parties, in both departments of the service, became closely connected in their criminal views. This is a subject which might present a wide field of observation ; but it is our intention to confine, as much as possible, those observations which we shall make, to the extent that will be required, to preserve a connected and distinct view of the narrative of events.

On the revision of establishments which took place towards the close of Lord William Bentinck's administration, considerable reductions were recommended in the civil as well as in the military expences ; and many of those reductions were afterwards carried into effect in the same manner, and under the same authority, as has been stated with regard to the military reductions. A reform of this nature must be at all times unpopular, and tend to the excitement of dissatisfaction. Some events had also previously occurred which, though remote, and involving conse-

quences at the time imperceptible, sowed the seeds of turbulence and insubordination. The soil was fully prepared for those noxious weeds which, under a combination of events, were produced at the period now under view.

The question connected with the civil department, which most powerfully contributed to interest and agitate, at this period, the mind of the community, was that belonging to the adjustment of the claims in the Carnatic debt.

The debts of the Nabobs of the Carnatic have, for a period of nearly half a century, excited the keenest discussions, and have been alternately the consequence and the occasion of every species of intrigue and corruption. For a long period this had been an unceasing cause of danger and weakness in the Government of Fort St. George, and, on one occasion, the European faction, acting under the influence of the intrigues of the Durbar, was enabled to effect the entire subversion of the Government. In consequence of the Act of Parliament, passed in 1784, an investigation took place with regard to the debts of the Nabob; for, though a large portion of those debts were of the most usurious and objectionable nature, many were of an opposite description, and had a claim to the public protection. This investigation led to the arrangement and consolidation of a considerable

part of the debts; but a great part remained unsettled, and farther debts were contracted during the life of Mahomed Ally, and of his successor Omdut Ul Omrah. Since the change in the Government of the Carnatic, which took place on the death of the latter Prince, it has been judged proper to resume the enquiry, on the general ground that the Company, being now in possession of the Carnatic, there is an equitable claim that they should make provision for the debts of a just nature, with which the country was encumbered at the period of its transfer to their authority; and in order, as the causes in which this perplexing subject originated, have now ceased, it it may be for ever set at rest. For the purpose of effecting this investigation, with all the care and accuracy which the nature of it will render essential, commissioners have been appointed in England, under the sanction of Parliament, to examine the extensive claims which have been preferred; and commissioners have been also appointed to conduct the local enquiry at Madras. As it was of the first importance, that the commissioners appointed in India should be free from the possibility of bias in the execution of their trust, it was, with propriety and wisdom decided, that, the commissioners should be selected from the civil establish-

ment of Bengal, and three gentlemen, of great respectability, were accordingly chosen by the Supreme Government, for this duty. The commissioners arrived at Madras, and soon after commenced their enquiry early in 1808.

Of the magnitude and intricacy of the duty entrusted to the commissioners, some idea may be formed by adverting to the fact that, according to concurring opinion, the valid portion of the debt of the Carnatic does not exceed five or six millions sterling, while claims to the supposed extent of more than thirty millions have been preferred. By far the greatest part of the claims must be therefore forgeries; and being in general preferred by persons of desperate characters, and capable of every degree of fraud and intrigue, it will be a task of no easy nature to effect the separation of the just from the unjust demands, and to clear away the mass of rubbish that has been long accumulating*.

The species of native intrigue, known by the name of dubash influence, which had for years

* It was observed by Mr. Burke, on the subject of the Carnatic debts, that "Persons without property upon which any one would lend to themselves a single shilling, were enabled at once to take provinces in mortgage, to make princes their debtors, and to become creditors for millions."

been the scourge of the Indian territories, had been in the last twelve or fifteen years gradually disappearing, and had nearly yielded to a more energetic and honorable system of administration. It required some great question, involving in a complicated connection, various European and Native interests, to raise again that flame from its embers; and no question could be more adapted for this purpose, than the approaching arrangement of the Carnatic claims.

The commissioners accordingly experienced, at an early stage of their proceedings, the obstruction which, in this state of things, there was reason to expect. For the purpose of facilitating their frequent occasion of reference to the records of the Durbar, they found it necessary to employ some of the native officers attached to the Durbar establishment, and in particular they employed for this purpose, a person of the name of Reddy Row, principal accountant in the service of the Nabob, who enjoyed a highly respectable character. It was understood that this person had the means of giving material information regarding the authenticity of most of the demands which had been preferred, and he was, in consequence, in a great degree formidable to those who were conscious that their claims rested on untenable grounds.

This native servant accordingly became an early object of attack, and he was charged before the commissioners with having preferred a forged claim, to a considerable amount. The principal promoter of this charge was Paupiah, a Bramin, of notorious character, who had taken an active part in the transactions of the most corrupt times of the history of Madras*. In consequence of the accusation against Reddy Row, the commissioners deemed it their first duty to examine the grounds on which it was founded, in order that it might be ascertained, whether he was or was not deserving of farther countenance. They accordingly proceeded to an investigation of the claim to which objection had been made, and the result was, that they established, by evidence, which the commissioners considered unquestionable, that the claim was correct, and that the pretended objection had originated in the most depraved motives. It was also established, that Paupiah did not state his charge against Reddy Row, until he had exhausted every art worthy of the blackest periods of oriental intrigue, to intimidate Reddy Row, or to induce him to betray his trust.

* This person was, about twenty years before the period under consideration, rendered infamous by being convicted in the Court of Justice, at Madras, of a conspiracy to defame the character of an European gentleman of great respectability.

Paupiah, together with the European and native claimants, with whom he was associated, having failed in the attempt which was made to deceive the commissioners, changed the mode of attack, and boldly renewed, before the Supreme Court, the charge of forgery against Reddy Row, and another native of the name of Anunda Row, under all the forms of legal prosecution*. The persons thus associated amounted to the number of five or six, and the claims which they preferred are stated to have been upwards of sixty lacs of pagodas, or about two millions and a half sterling, being nearly one half of what was supposed to be the whole amount of the valid debt of the Carnatic.

From the nature of the power under which the commissioners act, their enquiry is conducted in a great measure independently of the Government

* This proceeding took place in July and August, 1808.—At the time when the above prosecution was instituted, the commissioners had recommended to the Government that Paupiah, and some of the witnesses who had appeared in the examination before the commissioners, should be prosecuted in the Supreme Court for forgery and perjury. Paupiah, aware of the recommendation, anticipated it, in the manner which has been stated, and through the aid of the officiating magistrate, who was one of the claimants associated with him, was enabled to appear as a prosecutor, instead of being himself prosecuted for heinous offences.

of Fort St. George, to whom, however, general instructions had been furnished from England, for affording to the commissioners all necessary assistance. The commissioners accordingly applied to the Government for the assistance of the Company's law officers, to defend the native servants against the charge which had been preferred, on the clear ground of its being just and essential that those persons who had been useful in their stations, should not be abandoned to the persecution with which they were threatened.

We shall not attempt to describe the scenes which ensued in the Supreme Court, where a series of intrigue and perjury* was exhibited that

* It is perhaps proper to state, for the information of the reader, that the natives of India are far from holding the crime of perjury in the same abhorrence that it excites in Europe.—The crime and disgrace, in their estimation, consists much more in the detection than in the offence.

This fact is remarkably exemplified by the practice which is stated to prevail in the administration of justice under the Hindoo Government of Mysore. Lieutenant Colonel Wilkes, in his very intelligent report regarding that country, observes as follows :

“ It appears to be, in the spirit of English jurisprudence, to receive, as true, the testimony of a competent witness, until his credibility is impeached.

“ It is a fixed rule of evidence in Mysore, to suspect as false the testimony of every witness, until its truth is otherwise supported.”

must have been before unexampled in any Court of Justice. The trial of Reddy Row and Anunda Row continued nearly three weeks, and was closed with a charge from the Chief Justice, of which the delivery took nearly eight hours, and in which the Chief Justice, after commenting on the evidence on both sides of the question with great ability, recommended to the jury, in a forcible manner, the acquittal of the prisoners. Within half an hour the jury decided the question, which had occupied the attention of the Court for the above unusual length of time, by returning a verdict of guilty, in direct opposition to the charge from the bench, founded on what was conceived to be undeniable evidence.

This trial was immediately followed by an indictment against Mr. Batley, English Secretary of the Nabob, who had resided at Madras for upwards of thirty years, in the enjoyment of an irreproachable character, and was held in universal estimation. The indictment was founded on a charge of perjury in the evidence which Mr. Batley had given in the preceding trial. The commissioners, who had narrowly observed the whole progress of the late proceedings, being satisfied that the accusation against Mr. Batley was without foundation, renewed their recommendation, that the law officers of the Govern-

ment should have directions to give him their support.

The petty jury which had been impanelled for the trial of Reddy Row and Anunda Row, was composed, in general, of the lowest description of European population ; some of them appeared in Court, more than once, in a degrading state of drunkenness ; and such persons must have been little capable of resisting the arts which are understood to have been almost avowedly practised to influence their decision. On the trial of Mr. Batley, (which commenced in the Sessions of January, 1809,) a special jury was formed, which, to all appearance, consisted of persons of respectability. The trial lasted about a week, and the evidence was said to be so clear in favor of the prisoner, as to leave no doubt regarding the result. A short charge was delivered by the Chief Justice, who was apparently under the impression that the case did not require a more detailed explanation ; but the jury, after having retired about three hours, to the astonishment, we believe, of all present, returned a verdict, finding Mr. Batley guilty*.

* It became matter of publicity, that a part of the jury were adverse to the verdict returned in this trial ; but, by some unaccountable infatuation, allowed themselves to be carried away

The agitation and ferment which the progress of those different trials occasioned, cannot be adequately described. In the largest societies the discussion of questions of that nature, which affect various interests, is always attended with considerable warmth and animosity; but in a society, such as that of the settlement of Madras, the effects were of a much more forcible nature. The legal questions which had been brought before the Supreme Court, became, in fact, only a branch of the more extended questions relative to the affairs of the Government, which were then agitating the public mind, and which, being artfully blended with the legal discussions, the Supreme Court degenerated, in a great degree, into a place chosen for the exhibition of indecent violence, and for a struggle of faction in opposition to lawful authority. By inflammatory addresses, and by all the artifices which the ingenuity of factious men can devise, the public mind was worked up nearly to a state of frenzy, and there can be little doubt that many deluded, but well-intentioned persons, were impressed

by the voice of the majority, apparently reconciling the act to their own consciences, by the sufficiently absurd expedient of recommending the prisoner, who was accused of "wilful and corrupt perjury," to mercy!

with belief that justice had deserted the Supreme Court, and that protection was no longer to be expected from the Government.

In the greatest part of these scenes, General Macdowall took avowedly a near interest, and the influence attached to his station, combined with the declared circumstance of his being in active hostility to the Government, did not fail to operate with powerful effect in augmenting the mischiefs which had ensued.

On the 25th of January General Macdowall took leave of the army in the following General Order, which, under ordinary circumstances, might call for reprehension, but which has been unhappily obscured by proceedings so much more inflammatory and dangerous, as to render it comparatively unimportant.

GENERAL ORDERS.

BY THE COMMANDER-IN-CHIEF.

Head-Quarters, Choultry Plain,
Jan. 25, 1809.

The moment is now arrived, when Lieutenant General Macdowall is to take leave of the Company's army, whose ardent courage, consummate discipline, and persevering firmness, have been displayed in the achievements of those

brilliant exploits, which have secured its own glory, and added to the British empire extensive fertile regions of incalculable value and importance. May your patriotism, valour, and worth, be acknowledged and rewarded by your King and the East India Company, in proportion as they are known and appreciated by your Commander-in-Chief.

Had Lieutenant General Macdowall succeeded to the high and enviable office, with all the advantages enjoyed by his predecessors, he would, upon first assuming the command, have promulgated his sentiments on so flattering an event; but the circumstances of his appointment were so humiliating and unpropitious, that he declined addressing the army, in the anxious hope that the Court of Directors might, on further deliberation, be induced to restore him to his right, by altering the new and extraordinary forms of Government, and have enabled him to exercise the functions of his station, as the representative of the army, with honor to the service, and credit to himself; no prospect of such an occurrence being at all probable, in justice to the army, and to his own character, he has determined to retire.

On quitting a country where he has passed the greatest part of his life, and where he pos-

sesses many dear and respectable friends, Lieutenant General Macdowall cannot view his separation from a body of men he is sincerely attached to, without suffering the most painful sensations. From the nature of the service he can have little chance of ever meeting with them again; but he is bound to declare, that the whole of their conduct meets with his entire approbation, and he will boldly affirm, without danger of contradiction, that his Majesty has not, in any part of his dominions, a more loyal, patriotic, and valiant class of soldiers and subjects, than the officers composing the army at Fort St. George. That success may continue to attend their steps, that their dearly-bought laurels may never decay, and that their bravery and discipline may gather additional wreaths in the field of honour, is the sincere prayer of a man who will never forget them!

(Signed)

F. CAPPER,
Adj. Gen. of the Army.

On the 29th of January, General Macdowall embarked for England, and the fleet put to sea on the following day. On the forenoon of that day, after the ships had proceeded a considerable way from land, the following General Order,

published by General Macdowall previously to his embarkation, was officially delivered to Sir George Barlow.

GENERAL ORDERS.

Head-Quarters, Choultry Plain,
28th January, 1809.

G. O. By the Commander-in-Chief.

The immediate departure of Lieutenant General Macdowall from Madras, will prevent his pursuing the design of bringing Lieutenant Colonel Munro, Quarter-Master General, to trial, for disrespect to the Commander-in-Chief, for disobedience of orders, and for contempt of military authority, in having resorted to the power of the Civil Government, in defiance of the judgment of the officer at the head of the army, who had placed him under arrest, on charges preferred against him by a number of officers commanding native corps, in consequence of which appeal *direct* to the Honorable the President in Council, Lieutenant General Macdowall has received positive orders from the Chief Secretary, to liberate Lieutenant Colonel Munro from arrest.

Such conduct, on the part of Lieutenant Colonel Munro, being destructive of subordination, subversive of military discipline, a violation of the

sacred rights of the Commander-in-Chief, and holding out a most dangerous example to the service, Lieutenant General Macdowall, in support of the dignity of the profession, and his own station and character, feels it incumbent on him to express his strong disapprobation of Lieutenant Colonel Munro's unexampled proceedings, and considers it a solemn duty imposed upon him to reprimand Lieutenant Colonel Munro in general orders; and he is hereby reprimanded accordingly.

(Signed.)

T. BOLES,
D. A. G.

It may be necessary to explain, that in virtue of his commission, and according to long established usage, the Governor of Fort St. George exercises the duty of commander of the troops in that garrison. All orders that may be published by the Commander-in-Chief to the army, are accordingly sent to the Governor for publication to the troops stationed in the garrison of Fort St. George. The above order is dated, and was circulated to the army on the day preceding the embarkation of the Commander-in-Chief; but it was not communicated to the Governor, and all knowledge of it was withheld, until the day after that period.

General Macdowall had, for some time, previously to his departure, pressed on the attention of the Government a multiplicity of correspondence, all tending to embarrass its operations, and injure its authority. This could not fail to be sufficiently felt; but the Government had, with great forbearance, used every means to palliate that offensive course of proceeding, earnestly endeavouring to avert the necessity of resorting to extreme measures, while at the same time all improper attempts were repelled, and as far as possible repressed with a firm hand.

The General Order of the 28th of January was of a nature at once to bar the possibility of longer observing this course of forbearance, and to call for a signal vindication of the public authority.— That order, under the semblance of passing a censure on a public officer, on whose case a formal decision had been already pronounced, conveys a censure of the most inflammatory nature on the Government, for having exercised a duty which it was legally bound and called upon by an imperious sense of public obligation to discharge. It appeals from the acts of that Government, not to superior authority, but to the passions of the army, which had been already inflamed in a high degree by the preceding discussions. The Commander-in-Chief must have been aware that, in

the temper of the community at that time, the publication of such an order could not fail to spread far and near the brand of sedition, and to kindle a flame almost beyond the power of the Government to extinguish. The mode in which this was effected, was scarcely less criminal than the act itself; and General Macdowall was apparently impressed with the belief, that when a knowledge should be received of the last seal which he had put to his offences, he would be no longer within the reach of that power which he had thus wantonly insulted and outraged.

General Macdowall had not, at the period of embarking, resigned the command of the army; and it was understood to be his intention to forward his resignation either from Negapatam, where the ships were destined to touch, or from Ceylon, from whence they were to be finally dispatched to England. On the publication of the last General Order being made known to Sir George Barlow, it was decided that the removal of General Macdowall from the command of the army should immediately take place, and the usual signal was made for the recal of the ships, in order that the resolution might be publicly announced to him. The signal made for this purpose, was either not understood, from the distance to which the ships had proceeded, or it

was not obeyed.—The following General Order was however issued by the Government, for the purpose of affording a memorable vindication of the public authority, and a lasting example; that a violation of public order could not be sheltered under the abused privileges of a high station.

Fort St. George,
31st January, 1809.

G.O. By Government.

It has recently come to the knowledge of the Honorable the Governor in Council, that Lieutenant General Hay Macdowall did, previously to his embarkation from this Presidency, leave to be published to the army, a General Order, dated the 28th instant, in the highest degree disrespectful to the authority of the Government, in which that officer has presumed to found a public censure on an act adopted under the immediate authority of the Governor in Council, and to convey insinuations grossly derogatory to the character of the Government, and subversive of military discipline, and of the foundations of public authority.

The resignation of Lieutenant General Macdowall, of the command of the army of Fort St. George, not having been yet received, it becomes

the duty of the Governor in Council, in consideration of the violent and inflammatory proceedings of that officer, on the present, and on other recent occasions, and for the purpose of preventing the possible repetition of farther acts of outrage, to anticipate the period of his expected resignation, and to annul the appointment of Lieutenant General Macdowall to the command of the army of this Presidency; Lieutenant General Macdowall is accordingly hereby removed from the station of Commander-in-Chief of the Forces of Fort St. George.

The Governor in Council must lament, with the deepest regret, the necessity of resorting to an extreme measure of this nature; but where a manifest endeavour has been used to bring into degradation the Supreme Public Authority, it is essential that the vindication should not be less signal than the offence, and that a memorable example should be given, that proceedings, subversive of established order can find no security, under the sanction of rank, however high, or of station, however exalted.

The General Order in question having been circulated under the signature of the Deputy Adjutant General of the army, it must have been known to that officer, that in giving currency to a paper of this offensive description, he was acting

in direct violation of his duty to the Government, as no authority can justify the execution of an illegal act, connected, as that act obviously in the present case has been, with views of the most reprehensible nature. The Governor in Council thiinks it proper to mark his highest displeasure at the conduct of Major Boles, by directing that he shall be suspended from the service of the Honorable Company.

The General Order left by the Comiñander-in-Chief for publication, under date the 28th instant, is directed to be expunged from every public record ; and the Adjutant General of the army will immediately circulate the necessary orders for this purpose.

By order of the Honorable the Governor in Council*.

(Signed)

GEORGE BUCHAN,

Chief Sec. to Government.

* In the above order, it is stated, that General Macdowall did " leave to be published," &c. It is understood, that at the period of the Order of the Government being published, the exact time of General Macdowall's order being issued, had not been ascertained. It was not then known to the Government that the order had been circulated nearly two days to the army before it was transmitted to the Governor.

The copy of the Commander-in-Chief's General Order, of the 28th of January, which was first communicated to the Governor, was subscribed by the Deputy Adjutant General of the army, and it was accordingly to that officer that responsibility was, in the first instance attached. The same share of responsibility was afterwards extended to the Adjutant General, and his suspension from the service took place in consequence of his direct and exulting avowal of participation in the offence.

We shall refrain from going into any lengthened explanation regarding the circumstances which led to those measures, as it is a subject which has been already ably discussed in other public papers*.

It is impossible that the officers of the Adjutant General's Department, should not have been aware of the pernicious tendency of the order of the 28th of January, and should not have been conscious that the circulation of that paper was a measure, of all others, most likely to add to the ferment, which had been notoriously excited in the army. It must be contrary to law, and to

* Vide Letter from the Governor General in Council, already published ; and extract of a Report from the Judge Advocate General, Appendix S.

the common understanding of mankind, that the plea of implicit obedience to military power, should be urged as an excuse for the execution of acts known to be criminal; and a more criminal act, cannot easily be imagined than that of wantonly exciting a spirit of mutiny and sedition, that might (as has been in the sequel of these events unhappily evinced,) involve the safety of the country, and the existence of all constituted authority.

From the nature of the order published by the Commander-in-Chief, on the 28th of January, the Government felt strongly and justly the necessity of marking its sense of that proceeding with a determined hand. It had been, however, throughout the discussions, the principle and wish of the Government to avoid all measures of severity that might not be imposed by indispensable necessity. It is accordingly understood to have been the intention to have re-established the Deputy Adjutant General in his situation, on any acknowledgment, however slight, that might be sufficient to preserve the public authority*. The line of conduct pursued by Major Boles being

* In cases of suspension, it is in general stated to be, "until the pleasure of the Court of Directors is known:" but this extension was not included in the General Order relative to Major Boles.

remote from that of acknowledgment, the accomplishment of the intention was rendered impossible.

With regard to the Adjutant General, so soon as the order for the suspension of Major Boles had been published, he waited on one of the Governor's principal staff, and in a tone wide of regret, requested that it might be stated to Sir George-Barlow, " that the circumstance of the " General Order having been signed by the " Deputy Adjutant General, had proceeded from " his (Colonel Capper) having been engaged in " accompanying the late Commander-in-Chief " on board of ship ; that *he* was the responsible " person ; that it would not rest with Sir George " Barlow but with his Sovereign, to decide on " his case, and if he should be dismissed, he " would glory in dismission on such an occasion." The order for the suspension of Colonel Capper became, in consequence, an unavoidable measure; and as both the staff officers pursued a course of defiance of the public authority, and by impressing the belief of their being unjustly martyrs in the cause of their late superior, the alleged champion of the army, farther excited those passions which already inflamed the public mind, it became essential to the public honor and safety, that the

resolution of the Government should remain unchanged *.

We have had occasion to advert to the great degree of disorder which had attended the proceedings in the Supreme Court. It was apparent that the factious confederacy, which had at that time become very extensive, had acquired material strength from the recent verdicts; and, flushed with almost unlooked-for success, they seemed prepared to proceed to any extremity. It is understood, that a distinct declaration had been made of an intention to bring the commissioners to the bar of justice; and that the same intention had been intimated with regard to the law officers of the Government, who had, (particularly the Advocate General,) ably exerted themselves in the execution of their public duties; and heated and deluded as the public mind then was, condemnation, whatever the charge might

* What has been stated on the above subject, is founded on the supposition that the staff officers had no share in withholding the General Order of the Commander-in-Chief from the knowledge of the Governor, till the second day after its publication to the army, and until General Macdowall had embarked, and had proceeded to sea. If these officers had any hand in keeping back an order of that nature, one hour after it was in their power to deliver it, heavy indeed would be their responsibility.

be, was next to infallible, as the formation of an impartial jury was no longer to be attained.

The immediate tendency of this state of things, was to place the persons and characters of every public servant at the disposal of a pernicious faction, of the worst description. And in regard to the enquiry of the commissioners, it at once opened the widest door for the exercise of all the passions and intrigues which in the arrangement, connected with the Carnatic claims, means had been wisely and carefully taken by the Legislature and by the Court of Directors, to exclude.

It has been already stated, that in all points connected with the duties entrusted to the commissioners, they had exercised their own discretion without any interference on the part of the Government of Fort St. George, beyond the circumstance of affording to them the assistance which they might require. The circumstances, however, which had occurred, were of so new and urgent a nature, as to call for the most decided measures. Sir George Barlow accordingly judged it proper to go into a minute examination of every part of the proceedings of the commissioners, connected with the trials of the Supreme Court; and the result having afforded the fullest satisfaction, as to the correctness of their conduct, and the accuracy of their opinions, it was determined to adopt decisive means to free the com-

missioners, as far as possible, from the difficulties which opposed their enquiry, and to strike a farther blow at the root of the factious disposition which had occasioned a great degree of general disorder.

This determination led to several changes in different departments at the Presidency, not necessary to be here recapitulated; particularly to the removal of the persons who were known to have taken an active part in fomenting the late violent proceedings in the Supreme Court*.

At this time it was doubtful what course the Chief Justice might take in the disposal of the verdicts then under his consideration. Sir Thomas Strange was placed in the singular predicament of being called upon to pronounce sentence on prisoners whose cases were intimately connected, and who had been found guilty by successive juries, of the crimes with which they were charged, though contrary to evidence, and to his declared opinion.—The last jury was, on the whole, to all appearance, respectably formed, and its verdict was at least ostensibly deserving of weight. A loud and incessant clamour was raised, and spread with great industry, regarding the sacred rights of juries, and the bounden obliga-

* These measures took place a few days after the removal of the late Commander-in-Chief, and of the staff officers.

tion of all parties to submit with humility and deference to the opinion of that constitutional and revered authority. Every means were used that might deter the Chief Justice from interrupting the course of the verdicts, and steps were even avowedly taken to convey the menace of an impeachment.—It was fortunate for the interests of the country, that the firmness and talents of the Chief Justice were found equal to the emergency of that most trying occasion. Sir Thomas Strange sat alone and unsupported on the bench; but he did not shrink from the responsibility imposed upon him. Taking his stand on the firm rock of public duty, he evinced himself to be unassailable by the storms of calumny; and having fixed his decided line, he pursued it with a degree of resolution worthy of his high station and character. After long and violent discussions, a final decision was passed, that the verdicts which had been given should not have effect; that the prisoners should remain at large in their recognizances; and that the whole should be referred to the King; thereby laying the question before a tribunal, which the voice of clamour, and the efforts of faction, would be unable to reach*.

* The decision of the Chief Justice was not necessarily connected with the course which the Government had decided to

Before we proceed in the narrative of events, we feel called upon to consider the very unusual situation in which the public affairs at Madras were at this time placed.—In the preceding pages we have had an opportunity of observing the progress of dissatisfaction, from its early stages until it burst into acts of open and mutinous violence. We have seen the Government compelled, for the preservation of its authority, to adopt measures of the most decided nature ; and from the total perversion of the course of justice, the Chief Judge is compelled to seek in England that protection for individual rights and safety, which the administration of the laws in the Court, over which he presides, was unequal to afford. The mind is naturally disposed to examine the causes which have led to consequences of such magnitude.

We have had occasion to remark, that the spirit of faction had taken root in the settlement of Madras, at a period somewhat distant ; and

adopt ; but the solemn determination of the Supreme Court of Justice, was, no doubt, opportunely and fortunately calculated to add strength and weight to the authoritative measures on the part of the Government which had become indispensable. The course of proceeding adopted at that moment, by the Chief Justice, was accordingly of great public importance.

the leading events that have been above explained, were powerfully aided in their operation by others of a collateral, but very efficacious nature. The chief of those was unquestionably the feeling arising from the considerable reductions, which the exigency of public affairs imperiously called for. In the progress of those reductions, persons, both in the civil and military lines of the service, had been deprived of their offices, or had experienced a diminution of their allowances. It was impossible that such measures should not be productive of dissatisfaction, and should not unite, in hostility to the Government, most persons who had suffered under their operation, with many of the friends of such persons, and that the circle should not be infinitely enlarged by the junction of others, who in prospect probably looked forward to the operation of a similar plan of public economy.

It has been seen, that most of the reductions in both the civil and military establishments were recommended towards the conclusion of Lord William Bentinck's administration; further reductions (comparatively small in their amount), were, under the same urgent necessity, adopted by the existing Government, to whose lot it fell to carry the whole into effect; both those which originated with the Government of Sir George

Barlow, and those which were bequeathed by that which preceded.

The effect was, that the odium of those measures operated with undivided force; and the impression became general, that it was to the existing Government that the whole of the invidious measures were imputable. Of all tasks, the most unpopular is that of reform, and such an impression, in times the most peaceable and best disposed, would have been a heavy burthen to bear; but in times of a very opposite nature, and when many persons were unceasingly on the watch to misrepresent, and exaggerate every occurrence of the most ordinary description, the effects of successive measures, injurious to the interests of a numerous body of individuals, and less or more unpopular to all, may be well imagined. On this ground was therefore united, in close interest, a very extensive party, belonging to the civil and military branches of the service, who had, from occurrences at a former period, been taught the lesson that opposition, and even insult to the Government, was not always followed by punishment. This dissatisfaction was nothing more than was to be expected, and would have been momentary in its effect if it had not obtained the countenance and support of persons whose bounden duty it was to have aided in its sup-

pression ; but under whose influence, it became extended and emboldened, until it at length attained a height where it could only be opposed by measures of the most decided nature.

The late Commander-in-Chief was undoubtedly the main-spring that gave action to this discontented party, and encouraged it to assume a degree of boldness, which it would not otherwise have hazarded. Some of the inflammatory acts of General Maedowall have been already stated ; but they form but a small part of the means which were unceasingly practised, on all occasions, to spread far and near the spirit of discontent, and to impress the belief that all the reductions that had been made were unnecessary, and the wanton acts of an unjust Government.

General Macdowall, in consequence of his not having a seat in Council, pretended to receive the command of the army, not as a mark of distinguished honor and favor, but of deep disgrace ; and all his language and actions were true to that feeling. A person of proper mind, seeing the injurious effects of the dissensions which took place under the former Government, would have taken an opposite course, and would have endeavoured to heal the wounds which the collision of authorities must always produce. If he really felt aggrieved, he would have suppressed

the feelings of discontent which could not possibly be uttered without public injury; he would have performed all the important duties of Commander-in-Chief, with zeal and fidelity; he would have acted in unanimity with the Government, and he would have patiently, and with manly firmness, waited the reward which conduct of this nature could not have failed to obtain *. This is the line which General Macdowall ought to have taken, if he had possessed a correct understanding, or had entertained a proper regard for his public character, or his own interests; but that which he pursued was in all respects the reverse. For a considerable time, previously to his departure for England, the conduct of General Macdowall evinced a degree of frivolity in every way unworthy of his high station, and his conversation, in all companies, was of the most

* It is understood, that the appointment of General Macdowall to Council was about to have taken place at the very time when accounts reached England of the events in India.

From the line of conduct which General Macdowall had long observed, it seems more than questionable whether such an appointment would have made any change in his mode of proceeding. General Macdowall was, previously to his appointment to be Commander-in-Chief, while in command of Mysore, during the Government of Lord William Bentinck, in declared enmity to the Government, though his power of opposition was then more limited.

disrespectful nature to public authority. Possessing an imposing plausibility of manners, he was enabled to conciliate, to a great degree, the partiality of many who strongly condemned his public conduct, and still more was he enabled to conciliate among persons, both in the civil and military lines, of the public service; who rejoiced in the opportunity of obtaining the support of such a powerful and avowed champion of opposition to the Government, which it was his declared object and study to decry on every occasion. Even in a place where there might have been no previous disposition to faction, the example of a person filling General Macdowall's high station, might well be supposed likely to obtain many zealous partizans, and many imitators; but in a place where a factious spirit had already risen to a great height, the example operated with fatal influence. There is every reason to believe that General Macdowall, in his military tours * was in no way less active in disseminating, at the principal military stations, the same inflammatory sentiments

* Some specimen of this may be found in an address from General Macdowall to the commanding officers of the Madras European regiment, delivered at Masulipatam, in presence of that corps. Masulipatam is the principal station in the northern division of the army, and it was at that place that the first overt act of rebellion broke out. Appendix T.

as had been spread at the Presidency. His object appears to have been to gain popularity on any terms; and to impress the belief that the affairs of the army and affairs generally could not prosper, if the Commander-in-Chief should be excluded from Council.

The cry raised against the reductions in the military department was loudest in proportion as the voices were stronger and more numerous. A liberal compensation had been allowed, under a different shape, and by a description of allowance more suitable to military principles, in lieu of the reductions which took place. But, agreeably to the usual course of human nature, the reductions continued to be loudly exclaimed against, and the compensation passed unnoticed. The effect of this clamour would have been transitory and immaterial, if there had been at the head of the army a Commander-in-Chief, firm, able, and well-disposed; but when the Commander-in-Chief, instead of suppressing improper discontent, took part with it, and exclaimed more loudly than any against all reform, encouraging demands far exceeding in magnitude the extent of any reductions that had taken place, it was impossible that the prejudice which had been excited should not become universal. A more uncandid conduct than that pursued by the late

Commander-in-Chief, cannot be conceived. He knew that the demands which he supported, on the part of the army, were such as the state of the public finances made it impossible to grant. He knew that all the reductions were matter of unavoidable necessity, and that the Government was placed in circumstances which left no alternative: but, instead of using his endeavours to reconcile the public mind, to measures in their nature, disagreeable, he represented those measures in the most odious light, as if they had been unnecessarily adopted, for the mere purpose of depressing the army, and of depriving it of its just rewards.—This was the language General Macdowall held in all writings, and on all occasions; and it had the effect of exciting the greatest discontent. The effect of the application of a match to gunpowder could not be more certain, than the consequence attending the dissemination of such doctrines.

The late Commander-in-Chief by no means confined himself to mere military avocations, such as they have been described; but actively joined in all the supposed civil grievances, and particularly shared in the proceedings that were at the period of the warmest discussions, exhibited in the Supreme Court.

It has been shewn, that the party immediately

connected with those proceedings knew well how to avail themselves of the prevailing temper.— They were aware that they had nothing to expect under a Government conducted on principles, such as those that regulate the Government of Sir George Barlow, and they encouraged hopes from a defiance of public authority, which they could not entertain from obedience, as they concluded that any change must be favorable to their views. Considering the extent of interests combined in the fictitious and doubtful claims of the Carnatic debt; the numerous body of persons in the different branches of the service of the Company*, who were actuated by congenial views

* The fact of a close union of interests having existed between the discontented persons in the civil and military branches of the service, is sufficiently established by the nature of all the late proceedings at Madras. At a more advanced stage of those proceedings, when the Company's army had engaged in open rebellion, and the force at Jaulnah (on the Mahratta frontier) was preparing to march for the purpose of dictating laws to the Government, at the point of the bayonet, one of the reasons assigned was, the intended restoration of the civil servants, whom the Government had seen cause to remove from their situations.

“ Thirdly and lastly. We march for the purpose of obtaining from the Honorable the Governor in Council his consent
 “ to a general amnesty, and the restoration to the service of
 “ all the officers, both civil and military, who, under the

and feelings with creditors of this description ; the powerful and zealous support which they derived from the late Commander-in-Chief, and from others of equal station ; the effect which those, and other circumstances, had produced on the public mind, and the industry and avidity with which the most calumnious representations were circulated and received ; in adverting to these facts, we must cease to entertain surprise at the dangers with which the Government was surrounded, and conviction must be felt, that nothing but the wisdom and energy, which distinguished all the arrangements of the Government, throughout the arduous struggle, preserved the barriers of the public authority, and averted the surrender of that authority, to the demands of a clamorous and powerful faction*.

“ present grievous system, have been suspended, until the
 “ pleasure of the Court of Directors concerning them can be
 “ known.”

* At the period of the departure of General Macdowall, the mischief was already done, and piles of combustion were heaped and kindled, It is however a fact, deserving of being stated, which we are enabled to do on unquestionable authority, that, after General Macdowall had quitted the scene of contention, and was left to the moments of calm reflection, he viewed his past conduct with deep regret. He expressed this

It being understood that much of the clamour which had been spread in the army arose from an imperfect knowledge of the circumstances attending the removal of the arrest of the Quarter-Master General, the Government deemed it proper to publish the following explanatory General Order.

Fort St. George,
6th February, 1809.

G. O. By Government.

The Honorable the Governor in Council having lately adopted the measure of ordering the release of the Quarter-Master General of the army from arrest; and it being desirable that the circumstances connected with that measure should be distinctly and publicly understood, there being reason to believe that a great degree of misapprehension has hitherto existed, the Governor in Council thinks it proper to state that the Quarter-Master General was placed under arrest by the late Commander-in-Chief, on charges founded on a report which was submitted by the Quarter-Master General in conformity to express orders; which report having been approved and adopted

feeling to an officer of high rank, at the time of his leaving Ceylon, and said, that he " would have given the world that it " had not happened."

by the Commander-in-Chief, Lieutenant-General Sir John Cradock, was by him communicated to the late Right Honorable the Governor in Council of Fort St. George, and finally laid before the Supreme Government, under whose approbation and orders, it became the foundation of measures already known to the army.

In these circumstances the Quarter-Master General could be considered no longer responsible for proceedings so sanctioned; and it would have been inconsistent with the evident principles of justice, that a public officer should have been liable to the obloquy of a trial for an act not his, but that of his superiors. The question which in such case would have been submitted to the cognizance of a military tribunal, would not have involved only a discussion of the conduct of the Quarter-Master General, but would have extended to the measures of the principal civil and military authorities in this country; measures which had undergone the maturest consideration, and which had been carried into effect under the most formal sanction. It must be apparent that a discussion involving consequences of this nature would have been contrary to law; contrary to reason; ruinous of public confidence; and subversive of the foundations of military discipline, and of public authority.

Impressed with these sentiments, it became the solemn, the bounden duty of the Governor in Council, on the facts being made known by a communication from the Quarter-Master General (which, from the nature of the question, it became the right and duty of that officer, to submit by direct reference, on the communication having been refused by the late Commander-in-Chief,) to interpose the authority of the Government for the prevention of the most fatal evils. It was the wish, it was the earnest endeavour of the Governor in Council to effect this object by every means of conciliation and explanation, but such means having been used in vain, and having been even repelled under circumstances highly offensive, no alternative remained, but that of conveying a specific order for the removal of the arrest.

The Governor in Council desires that the officers of this army will be assured, that this Government would not be less solicitous to vindicate their honor and reputation, by rejecting all injurious imputations, if such could have been supposed, than the officers of the army could have been solicitous in their own vindication. The Governor in Council has accordingly under this impression, been led to an attentive consideration of the expressions which are understood

to have been deemed objectionable, and he has no hesitation in declaring that it appears in his judgment impossible, under any correct construction, to attach an offensive meaning to words where injury was not meant, and where the intention of offence assuredly did not exist.

Having stated this explanation, the Honorable the Governor in Council deems it his farther duty to observe, that the question which has been under deliberation must be now considered as concluded. The farther agitation of a subject of this nature could be availing for no purpose but that of disturbing the established course of public affairs, and for the excitement of feelings injurious to order and authority; and it will be accordingly of importance to the public welfare that the circumstances connected with it should be consigned to oblivion.

By order of the Honorable the Governor in Council.

(Signed)

GEORGE BUCHAN,
Chief Sec. to Government.

The tenor of the above order was strongly calculated to allay all feeling of irritation, if the expression of the most conciliatory language could have sufficed for that end. But, during times of

sedition, to use the words of our great historian *,
 "Reason can no more be heard, than a whisper
 "in the midst of the most violent hurricane."—
 The order of the Government does not appear to
 have been attended with any general effect, and
 the army proceeded step by step in its course of
 bold opposition to the civil power, until it at
 length hurried into all the guilt of open rebellion.

In the progress of these discussions, it may be
 readily supposed that several minor acts of insub-
 ordination occurred; but being trivial in their
 nature, and being immediately checked by the
 vigilance of the Government, it would be super-
 fluous here to describe them. In cases of public
 commotion, an unnoticed or unpunished example
 of disobedience and disrespect, cannot fail to
 encourage the repetition, and the wide extension
 of similar offences; and every energetic Govern-
 ment that is prepared to uphold its authority,
 will not overlook instances of disobedience from
 their being apparently unimportant, but will seize
 the first moment as the most opportune, for their
 suppression †.

* Hume.

† We are led to observe, that it is chiefly to minor incidents
 and detached circumstances of the nature above described,
 that the publications which have appeared on the commotions
 of the Madras army, are in a great degree confined. These

We shall proceed to notice events of more material consequence. It is understood that on

are stated in a manner much more calculated to confuse than to inform the mind, while that chain of events which only can enable the reader to carry his view from Causes to their Effects, has been with apparent care, kept from the sight.

It is no part of the intention of this narrative to comment on all the stories that have been circulated on the subject of the occurrences at Madras, nor on the calumnies that have been unsparingly spread with regard to persons who signalized themselves by their loyalty and ability in the support of the public cause, at a time of great difficulty and danger. Such statements may be left to that refutation, which a little time will be sufficient to produce.—There is, however, one point to which our attention has been particularly drawn. In a late publication it is gravely stated, that a remonstrance from the Hon. Colonel Sentleger gave the “first intimation to the Commander-in-Chief public or private, that a force was assembling for field service in Travancore.”—As this fact appeared very extraordinary, we were led to investigate it with care, and we believe that we are correct in giving the following as a true statement of the case,

There were two equipments against Travancore: One took place in December, 1808, at which time General Macdowall was in the northern division of the army, about four or five hundred miles from Madras, and no reply could in consequence have been received from him in less than ten or twelve days; the delay of a reference was therefore impossible, and it became necessary for the Government to issue, under its own authority, the orders for the preparations which were required, but copies of all those orders were sent without delay for General Macdowall's information. The first equipment against Travancore

the removal of General Macdowall, some persons professing to be his friends, deliberated on the

was suspended, and the renewal of the expedition did not take place till about the middle of January, 1809, at which time General Macdowall had returned to the Presidency.—At that period accounts were received of the atrocious proceedings of the Dewan of Travancore, and it was found necessary to adopt effectual means for subduing the power of that dangerous Minister. General Macdowall was apprized without an instant's delay of the recent accounts, and his opinion consulted as to the intended measures, in which he expressed his entire concurrence.

The above statement will afford some means of judging of the accuracy of the "indisputable fact," referred to in the publication in question.—The observation can only be meant to apply to the period of the first equipment. Colonel Sentleger, it is understood, was then at Trichinopoly, about two hundred miles to the southward of Madras; General Macdowall was about four or five hundred miles to the northward. Before information of the intended equipment could have reached Col. Sentleger, it must have been conveyed from the Presidency; and before it could have been transmitted by that officer to General Macdowall, it must have perambulated a space of not less than eight or nine hundred miles, all which was to be done before the intelligence and papers sent direct by the Government to General Macdowall in the most expeditious manner, could be received.

It was, we have reason to believe, a very general and favorite topic of assertion, that the movement of troops frequently took place without the knowledge of the Commander-in-Chief. We have, however, also reason to believe that this, as many other bold assertions have been, was absolutely un-

course of measures which it might be expedient for them to adopt ; and the result was the preparation of a memorial*, addressed to the Governor General, exhibiting a detail of grievances, and demanding, in explicit terms, the removal of Sir George Barlow. The memorial expressed “ their sanguine hope and entreaty, That the Supreme Government may, in its wisdom, be induced to appease their just claims, and to anticipate the extreme crisis of their agitation, by releasing them from the control of a ruler whose measures, guided by the Council of their implacable enemies, are equally detrimental to the interests of the State, as they are repulsive to the feelings

founded ; and that it formed a part of the means which were systematically used to decry, and bring into discredit, the measures of the Government on all occasions. We think that the information which we have obtained, enables us to state, that all the military details at Madras were conducted, when General Macdowall was at the head of the army, in precisely the same mode as had been formerly observed, with the exception of the modifications introduced under the orders transmitted from England on that point, in 1806.—We will further state our conviction, that scarcely an example occurred of the most ordinary appointment having taken place of a military officer to any situation, however unconnected with the duties of the army, without a previous communication of the circumstance to General Macdowall, and without his concurrence being obtained.

* Appendix U.

“ of a loyal and patriotic army.” This memorial is understood to have been circulated with great industry to the different military stations, and to have obtained a considerable list of signatures. The grievances which it describes are chiefly those held forth in the orders of General Macdowall; and the circumstance of so seditious a paper having obtained support with any number of British officers, is a forcible proof of the relaxed condition to which the discipline of the army had been reduced*.

The Government had been for some time apprized of the circulation of this paper, but from the secrecy with which the proceeding was conducted, some weeks elapsed before the fact could be distinctly established. So soon as it was established, the Government proceeded to take that notice of the subject which was called for, by so manifest an attempt to effect its overthrow. This led to the General Order which was published on the 1st of May, 1809†, and to the measures described in that Order.

* It has been said, that the intention of laying the memorial before the Governor General was suspended, and ultimately abandoned, in consequence of the Supreme Government having expressed unqualified approbation of the proceedings of the Government of Madras.

† Appendix W.

In the same General Order, reference is made to a letter which was addressed to the late Deputy Adjutant General, and generally circulated in the army, conveying sentiments of the most insubordinate nature. The following is a copy of that letter.

TO MAJOR BOLES.

SIR,

The officers of the Madras army, whose names are hereunto annexed, can no longer abstain from expressing to you their surprise and concern at the severe and unmerited punishment inflicted on you, by an act of the Civil Government of Fort St. George, for no other reason that is stated, but that you obeyed the orders of their Commander-in-Chief, in a case purely military.

Feeling the question to involve circumstances essential to their best interests, and fundamental to the character and respectability of the army, no less than to the principles of martial law, they consider themselves called upon to signify to you their marked approbation of your conduct, as an officer on the General staff, on that occasion.

Whilst your brother officers seize this opportunity to express their sense of the propriety of your conduct, they fully appreciate the personal

inconvenience to which you are exposed by suspension from office, and the service; with these feelings, they request the honor of repairing your injuries in the mean time, as far as lays within their power, by subscribing and paying to your order, monthly, the full amount of that pay and staff allowance, of which you have, in this extraordinary manner, been deprived.

As your conduct on the occasion alluded to, is exactly conformable to what the undersigned, if placed in your situation, would have pursued, they cannot avoid making your cause their own; and, under existing circumstances, such mutual support must be expected, and accepted, by all, who, like yourself, have, or may, become sufferers through any such exceptionable measures on the part of the Civil Government of Fort Saint George, as have rendered necessary, the painful step we have now taken.

No comment can be necessary on the above paper, in which the officers of the army at once establish themselves in the character of judges of the acts of the Government, which are arraigned in unqualified terms; and the power of military control legally vested in the Government, avowedly disputed. The paper farther proceeds to

establish a fund, of which the direct effect is to create the means of future resistance, by indemnifying all officers who might incur the penalty of disobeying the orders of the civil power. As if this proceeding had not been in itself sufficiently insubordinate, it was rendered more conspicuous by being pressed on the attention of Sir George Barlow, by the commanding officer of his body guard, who was then employed in Travancore.— This communication was made by the commanding officer, in the form of a private letter, to the Governor's Military Secretary, forwarding a copy of the letter addressed to the late Deputy Adjutant General. In his letter Captain Grant states his reasons for having submitted the paper in question, and he desires that the circumstance may be communicated to Sir George Barlow, who was thus placed in a situation that left no longer an option as to those measures which the maintenance of discipline and order imperiously required.

The preceding facts will be sufficient to evince the distempered state of the public mind at this period of time ; and that, from the ferment prevailing in the army, it was then fully matured for the scenes of open mutiny, which shortly afterwards ensued.

In the midst of the difficulties which the Go-

vernment had experienced, and was yet destined in an aggravated degree to encounter, the firm and steady support which was derived from the officer in the temporary command of the army was of essential importance. That command, on the removal of General Macdowall, devolved on Major General Gowdie, the senior officer at Madras, who had been, during a long course of service, distinguished by great zeal in the execution of his duty.

General Gowdie, on assuming the command of the army, issued the following order.

Head-Quarters of the Army, Choultry Plain.
17th February, 1089.

G. O. By Major General Gowdie.

Major General Gowdie embraces the earliest moment to express the sense of satisfaction which he entertains, in being called to the command of an army, with which he has passed the greatest portion of his life ; which he has accompanied in every vicissitude of misfortune and success ; and which he has seen finally to subdue all the enemies by whom it has been opposed. Major-General Gowdie encourages a confident assurance, that the army will be distinguished, while he shall have the honor of commanding it, by the same

zeal, public spirit, discipline, and respect for authority, which produced the eminent successes that have signalized it, and which are essential to the prosperity of the British interests in India. It is the duty of the officer commanding the army in chief, to state, in the actual situation of affairs, that, while his conduct shall be uniformly actuated by an earnest desire to afford the most honorable and decided support to the constituted authorities of his country, to maintain discipline and subordination, and to distinguish merit, services, and claims, he expects, from the officers composing his Majesty's and the Honorable Company's services, and particularly from those who hold the command of divisions, stations, and corps, that cordial and zealous co-operation, which is dictated by the most powerful motives of duty to their Sovereign and their country.

The tenor of General Gowdie's conduct corresponded with the principles stated in the above order, and he uniformly acted with cordial zeal, in conjunction with the Government, in checking, or in repelling, the bold encroachments which were then rapidly making on its authority.

We shall conclude this part of the subject by calling the attention of the reader to the progress

of affairs which it has been our endeavour to trace in this narrative. The advantages enjoyed by the army of Madras, have been generally explained. We believe that we are warranted in stating, that the benefits possessed by that army, in respect to promotion, and in respect to allowances, far surpass what has been known to exist in any other army in modern times. The reductions which took effect, under the system of reform, which the exigency of public affairs had required, were in the most trivial proportion to the aggregate expenses of the military establishment, of which all the fixed and regular allowances remained without diminution, and were even considerably enlarged under the special orders of the Government. The allowances of the staff establishment continued to be of the most liberal and extensive nature. In these circumstances we have seen a combination gradually formed, and without a just ground of grievance, widely spreading, until it enveloped, in its course, a large portion of the community in India, in an united and extended system of disaffection and opposition to the State. The causes which contributed to produce this effect, have been generally explained; and history cannot, perhaps, exhibit a more striking example of the fatal influence of the heated passions of men, and of the extreme

lengths to which persons, impelled by such passions, are capable of being hurried.

In the course of these discussions, we have seen every means tried in vain by the Government of Fort St. George, to avert the necessity of resorting to measures of an extreme nature; and we have seen that Government compelled, under an accumulation of injury, to adopt the only means that remained to avert the entire degradation of its power. The perusal of the papers to which reference has been made, will be sufficient to evince, that the sentiments which they convey, are radically incompatible with due subordination, and that their direct tendency was to lead to the subversion of all order.

The danger of such sentiments prevailing in an army, or in any body of men under any Government, must come home to the mind of every well-informed reader; but in India, where the existence of our power depends on the vigorous exercise of the duties of the Executive Administration, relaxation in those duties must lead to consequences irretrievably ruinous to the public interests and safety*.

* The authority of the late Lord Clive must ever be looked to with certain reverence on matters connected with Indian Government:—The following Extract of a Letter which his Lordship addressed to the Select Committee at Calcutta, at the

At the period when Sir George Barlow assumed charge of the Government of Madras, there were

close of that brilliant career, which gave to Britain a large portion of the Empire of India, may be accordingly read with interest.

Extract of LORD CLIVE's Letter, dated 16th Jan. 1767.

“ The reformation proposed by the Committee of Inspection, will, I hope, be duly attended to. It has been too much the custom in this Government to make orders and regulations, and thence to suppose the business done. To what end and purpose are they made, if they be not promulgated and enforced? No regulation can be carried into execution, no order obeyed, if you do not make rigorous examples of the disobedient. Upon this point I rest the welfare of the Company in Bengal. The servants are now brought to a proper sense of their duty : if you slacken the reins of Government, affairs will soon revert to their former channel; anarchy and corruption will again prevail; and, elate with a new victory, be too head-strong for any future efforts of Government.—Recall to your memories the many attempts that have been made in the civil and military departments, to overcome our authority, and to set up a kind of independence against the Court of Directors.—Reflect also on the resolute measures we have pursued, and their wholesome effects. Disobedience to legal power is the first step of sedition; and palliative remedies effect no cure. Every tender compliance, every condescension on your parts, will only encourage more flagrant attacks, which will daily increase in strength, and be at last in vain resisted. Much of our time has been employed in correcting abuses. The important work has been prosecuted with zeal, diligence, and

two ways of proceeding open before him ; the one strewed with flowers, and in its nature easy and pleasant ; the other thorny, and beset with numerous difficulties. If Sir George Barlow had complied with the demands of the army by placing it on Bengal allowances, and by restoring those allowances which preceding Governments had resolved to discontinue ; if, in short every plan of reform had been pronounced unwise, and as such abandoned, great indeed would have been the popularity of such a proceeding ; as observed in a letter from General Macdowall, already quoted, " joy would have " been diffused in every countenance." Such measures would have no doubt entailed a burthen on

" disinterestedness, and we have had the happiness to see our
 " labours crowned with success. I leave the country in peace ;
 " I leave the civil and military departments under discipline
 " and subordination : it is incumbent upon you to keep them
 " so. You have power, you have abilities, you have integrity : let it not be said, that you are deficient in resolution.
 " I repeat that you must not fail to exact the most implicit
 " obedience to your orders. Dismiss or suspend from the service any man who shall dare to dispute your authority. If
 " you deviate from the principles upon which we have hitherto acted, and upon which you are conscious you ought
 " to proceed ; or if you do not make a proper use of that
 " power with which you are invested, I shall hold myself acquitted, as I do now protest against the consequences."

the finances of the Company, which they would probably have been unable to support, and the example of such concessions would have been likely to render the task of future reduction an undertaking too arduous to be attempted. Still the Government of Fort St. George would for the time have remained tranquil, and, to external appearance, all would have been calm and prosperous. We may reasonably suppose that no feeling of personal gratification could have induced Sir George Barlow to forego advantages so obvious, and so facile of attainment; and imperious must have been the call, that could have prompted the adoption of a course opposite to one so congenial to every view of personal ease and interest. Of the nature of that call, the Reader will have had no difficulty in forming a judgment from the facts which have been stated. The disordered condition of the finances in India rendered a reform in the public expenditure, a measure indispensable to the welfare of the national interests. It would be trifling with the understanding of mankind, to suppose that reforms of that nature can ever be rendered agreeable, or that they should not meet with strenuous resistance. Sir George Barlow, therefore, in proceeding on that plan of reform which his duty prescribed, and in carrying into effect those

measures on which his predecessors had previously resolved, could not fail to be aware of the difficulties with which he would have to contend, and of the clamorous opposition which would be excited. This opposition was powerfully aided by various concurring circumstances, and it has rarely fallen to the lot of any public man to have such a combination of difficulties to contend with, as those which Sir George Barlow was called upon to encounter. They were such as must have overwhelmed any ordinary mind, and which could only be subdued by vigour and energy of the highest order. It was impossible for one, possessing the enlightened mind of Sir George Barlow, not to see, that if the clamorous demands which had been preferred were conceded, and the acts of the preceding administration abandoned, the power of the Government must have been irreparably injured, and all hope of retrieving the finances of the Company by any economical arrangement, must have been at an end. The progress of this example would not have been arrested at the Presidency of Madras, but, in the natural course of things, must have extended to the other Presidencies of India ; and the mischief could have found no limits but those of anarchy, and the general contempt and confusion of all authority. Looking to such conse-

quences, it became a duty which Sir George Barlow owed to his country, to exercise the power which was vested in his hands, to avert them; and this object has been accomplished with talents and energy which must, in every impartial mind, give him the highest claims to his country's gratitude. It has been seen, that the unavoidable measures of reduction were tempered by every liberal, every possible, consideration, for the claims of the army; but as demands of the most extensive nature continued to be pressed on the Government, it became necessary that limits should be prescribed to such proceedings. Every means were accordingly used to fix those limits, both by forbearance and conciliation, and by examples of severity; but all such means having failed, and the evil continuing to assume an aspect more extensive and formidable, the Government was called upon to prepare for a contest of the most arduous nature, or at once to surrender all the public functions into the hands of its powerful adversaries. This was a state of affairs sufficient to appal the stoutest mind, but happily for the public honor and welfare, Sir George Barlow did not shrink from the danger and responsibility of his station. He wisely judged that, in the circumstances of the times, no consequence could be so fatal to the state as

that of concession, and that any extremity would be preferable to so abject a proceeding. In former years we have seen the Government of Bengal placed in great danger, by a mutiny of the civil and military officers under its authority. At a subsequent period, the Government of Madras was overturned, and the person of the Governor imprisoned by a usurping faction; and at earlier periods of our Indian history, examples of a similar nature are not wanting. That the settlement of Madras was lately exposed to the imminent hazard of experiencing a renewal of those scenes, no one can doubt; and it will, probably, be difficult to view with impartial attention the events which occurred at that Presidency, without the conviction that nothing but the ability and firmness displayed by the distinguished person who directs the affairs of that Government, could have guided the vessel in the midst of the storms with which it was assailed; could have preserved the public rights, unimpaired; or have saved the national interests from the overthrow with which they were threatened.

We have, in the preceding observations, ventured to anticipate, in some measure, the course of those events which we propose to explain in another early publication. It may be at present

only added, that every part of the proceedings of the Government of Fort St. George received the strongest approbation of the Supreme Government*.

* It is proper to observe, that, according to the established constitution of the Indian Government, the Supreme Government in Bengal exercises a general control over the affairs of the other Presidencies; and in proceedings such as those which lately occurred at Madras, every circumstance is distinctly reported for the information and decision of the Supreme Government; and every paper connected with the subject is submitted to that authority. This is the course prescribed by Act of Parliament, and by the usage invariably observed in the Indian administration.

The Government of Fort St. George observed that course in every stage of the late proceedings, as referable both to the military and civil branches of service. The Supreme Government therefore, in deciding on those proceedings, did not do so on any loose or imperfect view of the subject; but the decision of that authority was founded on an accurate examination of all the facts and evidence exhibited in the several stages of the question. The sentiments of the Governor General in Council were such as the temperate, but decided and able line of conduct pursued by the Government of Fort St. George was calculated to excite; and those sentiments were repeatedly conveyed to that Government in terms of the highest approbation.

APPENDIX.



(A.)

Extract from a Report of the Quarter-Master
General.

THE measure of maintaining the army in a state of constant equipment for field movement, has long been considered essential to the efficiency of the military system, under the Presidency of Fort St. George. It has been suggested, by an experience of the disasters that have resulted from defective equipments, and by a sense of the necessity of possessing, in a country maintained by the sword, the ability to commence military operations with the utmost promptitude. That measure is founded upon just grounds, but the means adopted for carrying it into execution, are, in some respects, unnecessarily extensive, and in others, entirely defective.

The whole Native army, in what regards camp equipage and regimental stores, has been placed

in a state of complete and constant preparation for field service, while a considerable part of the Native army must be at all times in garrison, precluded from taking the field. The reasons for placing the army in a state of preparation for immediate movement, must refer exclusively to the prosecution of operations against an enemy in the field : those reasons cannot apply to the ordinary movements of troops in time of peace, for it is of little consequence whether a corps proceeding from one station to another in time of peace, commence its march at two or at ten days notice. But in order to accomplish the object of putting the army into a state fit for the immediate commencement of operations against an enemy in the field, it is requisite that it should be provided with other establishments, besides those which relate to camp equipage ; it must be supplied with carriage for its sick, with the means of subsistence, and with an ordinary equipment. But none of those establishments are attached to Native corps ; the camp equipage equipment of those corps is not alone sufficient to enable them to commence operations against an enemy, and the object for which that equipment is maintained is not therefore fulfilled.

Six years experience of the practical effects of the existing system of the camp equipage equip-

ment of the Native army, has afforded means of forming a judgment relative to its advantages and efficiency, which were not possessed by the persons who proposed its introduction; and an attentive examination of its operation during that period of time, has suggested the following observations regarding it.

The existing system appears to be liable to the following objections:

First. It incurs the expense of placing the whole army in a state of complete preparation for field movement, in respect to camp equipage, and regimental stores; while a great part of the Native army must, from inevitable circumstances, be at all times in garrison, in a situation where those equipments are entirely unnecessary.

Secondly. That system incurs an immense expense, without accomplishing the purpose for which it was established; it provides for the constant maintenance of certain equipments with the whole Native army, with a view to the prompt commencement of operations against an enemy in the field, while other equipments, equally essential to the attainment of that object, are not maintained.

Thirdly. By granting the same allowances in peace and war, for the equipment of Native corps, while the expenses incidental to that charge

are unavoidably much greater in war than in peace, it places the interest and duty of officers commanding Native corps in direct opposition to one another. It makes it their interest that their corps should not be in a state of efficiency fit for field service, and therefore furnishes strong inducements to neglect their most important duties*.

Fourthly. By charging commanding officers of corps with extensive concerns immediately affecting their private interests, it is calculated, particularly in the field, to divert their attention and their pursuits from the discipline and management of their corps, objects that should furnish them with sufficient employment for the whole of their time.

Fifthly. It frustrates the principle of its adoption, that of maintaining, at all times, efficient carriage for the camp equipage and regimental stores of the Native army, for it permits commanding officers to keep hired bullocks for that service, and the experience of all our wars has proved, that common hired bullocks are entirely unfit for long continued labour.

* It has been the leading object in all the late arrangements of military allowances, to encrease the advantages of officers in war, comparatively with those enjoyed during peace, according to the principle stated in the above report.

Sixthly. In time of war, individuals commanding corps, cannot command the resources necessary for the re-equipment of their corps with camp equipage and carriage ; the measures necessary for that purpose must be pursued by Government, on the general principles which regulate the supply and re-equipment of all the departments of the army.

An examination of the military state of affairs, under the Government, will shew that a limited portion only of the Native army could take the field in the event of a general war, and that a considerable number of Native battalions must remain at all times in our fixed garrisons, or in certain stations necessary to be always occupied by troops, for the purpose of maintaining the authority of Government in the provinces.

The following statement exhibits the number of battalions that must be constantly stationed in our garrisons and provinces, part of those troops will necessarily be employed, occasionally, upon internal service, and provision will be made for this description of service in the sequel.

[The remainder of the report comprises various details not necessary to be here inserted ; in stating which, the Quarter-Master General ably illustrates the question under consideration.]

(B.)

Fort St. George,
22d September, 1802.

G. O. By Government.

The inconveniences arising from the existing mode of controlling the bazars attached to military stations, under this Presidency, have long afforded a source of anxious consideration to the mind of the Right Honorable the Governor in Council, both in respect to the operation of those evils, on the principles of military subordination, and as affecting the administration of the Civil Government. The means which facilitated the introduction of this salutary reform, under the Government of Fort William, were absolutely unattainable while a divided authority in the Carnatic continued to distract the measures of the executive Government; the Governor in Council has therefore been compelled to postpone the regulation of the bazars, on the principles established in Bengal, which have long been recommended to his Lordship's attention, as well by the high authority from which they proceeded, as by the salutary effects which they have produced. Among the abundant advantages obtained from the consolidation of the British power in the

Deckan, it is satisfactory to the mind of the Right Honorable the Governor in Council, that the treaties of the Carnatic and of Tanjore have removed the impediments which have opposed the adoption of this useful measure, while the progress already made under the operation of the same favorable causes in the improvement of the Civil Government of these territories, demands the abolition of a system, not less incompatible with the preservation of military order, than with the rights conferred on the Native subjects of the empire, under the protection of the civil tribunals.

Impelled by these considerations, the Right Honorable the Governor in Council has deemed it to be his duty, at this time, to revive the consideration of the mode in which the military bazars appear to have been conducted under this Presidency. The result of that consideration has satisfied his Lordship in Council, that the interference of officers commanding forts or stations, with the regulation and control of bazar duties, and the appropriation to themselves of the perquisites of command, have a direct tendency to loosen the principles of subordination, to vitiate the due exercise of military authority, and to impede the regular supply of provisions for the troops. His Lordship in Council has therefore

been pleased to abolish the present means of such indefinite emolument, and to substitute the following system for the regulation of military bazars, and for the disposal of the produce of such taxes as may be levied on them by the authority of Government.

[Here follow the detailed rules.]

(C.)

Fort St. George, 10th June, 1808.

G. O. By Government.

The Honorable the Governor in Council, deeming it proper, that the number of Government commands, under this Presidency, should be diminished; and the Governor in Council being at the same time desirous of placing the officers, who may be charged with the duties of regimental command, and with the charge of those military stations which are of sufficient importance to be continued as Government commands, on a footing of adequate advantage, has been pleased to adopt the following regulations.

That officers commanding regiments of cavalry, and battalions of artillery, infantry, and pioneers,

together with the officers commanding the squadron of horse artillery, and the Governor's body guard, shall draw the full batta of their rank in garrison, and the full batta of their next superior rank, when marching, or in the field.

That officers appointed to Government commands shall draw the batta of their next superior rank.

That officers, under the rank of a general officer, exercising the command in camp or garrison of bodies of troops, consisting of the headquarters of two corps, and officers commanding brigades in the line on field service, shall draw brigadier's allowance, where table allowance is not drawn.

That, with the foregoing exceptions, no officers commanding stations or parties of troops, shall draw full batta, unless the troops under their command receive that allowance, and that exclusive of the officers holding the under-mentioned Government commands, the title of officers commanding corps to draw the full batta of their rank, shall be determined by the circumstance of the troops under their command, receiving full batta, according to the rules and practice of the service.

That, exclusive of the established divisions of

the army, the following stations only shall be considered as Government commands:

Malabar and Canara, with Cananore.

Tinnevely district, with Palamcottah.

Bengalore.

Wallajahbad.

Arcot.

Vellore.

The Hyderabad subsidiary force, and

The subsidiary force at Travancore.

That the senior officers of the troops at Seringapatam, Bellary, and Trichinopoly, shall be entitled to draw brigadiers' allowance, while the force, at those stations, may consist of the headquarters of two corps, although the officers commanding the divisions may be present at them, and that the senior officer of the troops, doing duty at Fort St. George, shall also receive that allowance.

The Governor in Council is pleased to direct, that the above arrangements shall take place from the first of July next, subject to the final confirmation of the Honorable Court of Directors.

The Governor in Council is also pleased to direct, that no change shall at present take place with regard to the command of the detachment in Berar, or the fortress of Poonamallee; and that

the allowances of the officers, holding those commands, shall continue on their present footing.

By order of the Honorable the Governor in Council.

(Signed) G. BUCHAN,
Chief Secretary to Government.

(D.)

The following statement, it is believed, will afford a sufficiently correct general view of the military allowances at Madras, under the present regulations: and of the amount of King's pay, in England.

| INFANTRY. | In Garrison, or Cantonment, per Annum. | | | In the Field, per Annum. | | | King's Pay in England, per Annum. | | |
|-----------------------|--|----|----|--------------------------|----|----|-----------------------------------|----|----|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Colonel | 1596 | 17 | 6 | 1596 | 17 | 6 | 410 | 12 | 6 |
| Lieutenant Colonel .. | 821 | 5 | 0 | 1277 | 10 | 0 | 310* | 5 | 0 |
| Major | 615 | 18 | 9 | 958 | 2 | 6 | 292 | 0 | 0 |
| Captain | 374 | 2 | 6 | 511 | 0 | 0 | 191 | 12 | 6 |
| Lieutenant | 219 | 0 | 0 | 310 | 5 | 0 | 118 | 12 | 6 |
| Ensign | 159 | 13 | 9 | 228 | 2 | 6 | 95 | 16 | 8 |

* N.B. Officers commanding battalions in England, have an additional allowance of £54. 15s. annually.

Colonels on the Madras establishment, in addition to the above fixed allowances, share the

off-reckonings of their corps, payable in India or in England.

Officers, of whatever rank, who command corps, receive the field (or full) batta of their rank, in peace; and in field service, the field (or full) batta of the next superior rank; *i. e.* a Lieutenant Colonel, commanding a corps in the field, draws the full batta of Colonel; a Major, the batta of Lieutenant Colonel; and so with the other ranks.

Officers, holding the command of stations under the appointment of Government, draw the full batta of the next superior rank.

Officers, commanding bodies of troops consisting of two corps, in peace; and officers commanding brigades in the field, draw, in addition to their other allowances, Brigadier's allowance, being three pagodas, or 1*l.* 4*s.* per diem.

There is a monthly allowance granted to all officers, for the purpose of enabling them to provide quarters in peace, and camp equipage in the field; proportioned to their respective ranks.

The above allowances are exclusive of the allowances of the staff establishment, which are, at Madras, extensive.

The following statement shews the rates of batta in India, which allowance forms a part of the aggregate allowances, above stated.

| INFANTRY. | Half Batta, per Annum. | | | Full Batta, per Annum. | | |
|--------------------------|---------------------------|----|----|---------------------------|----|----|
| | £. | s. | d. | £. | s. | d. |
| Colonel* | 1140 | 12 | 6 | 1140 | 12 | 6 |
| Lieutenant Colonel | 456 | 5 | 0 | 912 | 10 | 0 |
| Major | 342 | 3 | 9 | 684 | 7 | 6 |
| Captain | 136 | 17 | 6 | 273 | 15 | 0 |
| Lieutenant | 91 | 5 | 0 | 182 | 10 | 0 |
| Ensign | 68 | 8 | 9 | 136 | 17 | 6 |

* N.B. Colonels always receive the same batta, in peace, and in the field.

(E.)

To the CHIEF SECRETARY of Government.

SIR,

HAVING been directed by the late Commander-in-Chief to prepare a report on the system for the provision and carriage of the camp equipage of the Native troops by contract, I entered into an examination of that subject, and submitted to Sir John Cradock a paper, containing the result of the consideration which I bestowed on it. That report received the unqualified approbation of the late Commander-in-Chief; who, in laying it before the Government, stated, that it was written in obedience to his

orders, and might be considered as the combined result of his own and my reflection. The report having been referred by the Governor, Lord William Bentinck, to the examination of some officers of talents and experience, met with their concurrence; and although his Lordship was disposed to entertain a favorable opinion of the contract system, he was convinced, by the reasonings stated in the report, of the erroneous nature of that system, and the expediency of repealing it. At the period of time when the report was approved by Lord William Bentinck, the removal of his Lordship from India left it on the hands of his successor, and as it corresponded with Mr. Petrie's sentiments, it was forwarded to Bengal; it received the approbation of the Supreme Government, and was finally carried into execution under the present Government.

It appears that soon after the publication of the orders for the abolition of the tent contract, a plan was formed by some officers commanding Native corps, of preferring charges against me on the foundation of my report; and these charges actually arrived at head-quarters about three months ago. They were sent by the Commander-in-Chief to the Judge Advocate General; and that officer having entered into an extensive consideration of the subject, stated in decided terms

the illegality of the charges, and the absence of all grounds of proceeding upon them. The Commander-in-Chief was pleased to shew me the charges and the report of the Judge Advocate General; and I pressed upon his Excellency's attention the expediency of bringing the question to an early decision. and of submitting it to the Honorable the Governor in Council, as it was essentially connected with the arrangement and the authority of the Government. The Commander-in-Chief did not express a decided intention; the tendency of his opinions appeared to be, that I should be tried by a general court martial; but after repeated observations he stated, that as the Judge Advocate General had exhibited only one side of the question, he judged it expedient to refer it to the opinion of Mr. Marsh. Having renewed my application for a decision of the question, I was informed the day before yesterday by the Commander-in-Chief, that it was his intention to leave the whole matter to the consideration of his successor; and in about an hour after I received this assurance, the Deputy Adjutant General delivered to me a letter and a message from the Commander-in-Chief, directing me to consider myself as placed under an arrest, upon the charges which I have mentioned. I forward to you a copy of these

charges, of the letter delivered to me by the Deputy Adjutant General, of my reply, and of an answer which I have received from the Commander-in-Chief, and in which his Excellency has been pleased to state some of the reasons by which his conduct has been actuated.

The want of time disables me from stating the considerations connected with this subject, which it is my earnest desire to submit to the judgment of the Honorable the Governor in Council. The report, upon which the Commander-in-Chief, at the instance of some officers of the army, has placed me in arrest, was written by the special orders of the late Commander-in-Chief, was approved of by him, and declared in his minute which accompanied it, to be the result of his own reflection and mind, and it has been acted upon by the Supreme and Civil Governments ; it is superfluous for me to state the deep injury which will inevitably be sustained by the discipline of the service, if a public staff officer shall be made responsible to a party of officers, for an official report written in the strict execution of his duty, and approved by all the authorities under which he acts. If such a course of proceeding shall be followed, no staff officer can ever venture to execute his duty with integrity and zeal ; to point out abuses, or discover frauds, for the cir-

cumstance of being liable to the disgrace of an arrest and trial, for the discharge of public duty will deter many men from performing it. That proceeding will have the effect of making the army the judges of the propriety of continuing or repealing military regulations ; the disadvantage, or the tendency to abuse of a system, can seldom be pointed out without insinuations being either stated, or understood, of a nature unfavorable to the conduct of the persons by whom the system is managed ; and if the public officer who points out that disadvantage shall be liable to be tried by the persons whose interests are affected by his conduct, it is evident that the army, and not the Government, will be the judges of military arrangements ; that no staff officer will submit to the Government a plan unpopular to the army, and that the greatest obstacles will be opposed to the reform of abuses, or the improvement of the service ; a staff officer must embrace the alternative of either neglecting his duty, or exposing himself to the disgrace of a public trial, at the instance of officers who may expect impunity for their conduct, from their numbers, or from the uncertainty to which the event of all trials is subject. If any illustration of these observations should be necessary, the following case may be stated. It may be supposed that I had received

the most ample and authentic information of the abuses of the tent contract system, that this information was sufficient to convince my judgment, and that of the Commander-in-Chief, and the Government, of the necessity of annulling that system, although from the information being of a confidential nature, it could not be produced as evidence before a general court martial. It would have been my positive duty to state, that the tent contract system was replete with abuses; that statement would involve insinuations hostile to the integrity of the officers by whom the system was managed; and I may ask if I should be liable to the disgrace of a public arrest and trial for having declared what every obligation of my public duty demanded, and what circumstances must have prevented me from proving before a court martial.

But the report contains nothing of a nature injurious to the characters of the officers of the army; it is founded upon the general and immutable principles of human nature, and was not intended to apply to the actual conduct of any class of persons. The object of that report was to expose, on the general principles which constitute the great foundations of public regulation, the fundamental errors of a system which was calculated to disunite the interest from the duty

of the officers of the army, and not in any respect to advert to the mode in which that system has been executed. The justness of the general grounds which I adopted was sufficiently confirmed by experience; which had shewn that the contract system produced considerable advantages to officers commanding corps in garrison, and immense expenses in the field. That this system produced unfavorable effects on the military ardour of any part of the army, has never been stated; but it was an indispensable obligation of my duty, in officially reporting on the subject, to point out its tendency, under the operation of motives that too often influence human conduct, to produce such effects; and its disadvantage, therefore, as a permanent regulation. In preparing the report upon the tent contract, nothing was more remote from my mind than to state a sentiment in any respect adverse to the honor, integrity, and military virtue of any portion of the officers of the army; the report was entirely dictated by motives of public duty, and founded upon general grounds; and they who view it in a different light, mistake a course of reasoning from cause to effect, from principles to their probable consequences, for arguments founded upon statements of a description dishonorable to the army. I do not mean by these

explanations to disavow any part of the report, as I am still impressed with the strongest conviction of its justness and truth. If the report had never been submitted to the Government, it might have rested with the Commander-in-Chief to decide on the charges that are founded on it; but, as it now forms a part of the records and acts of the Government, any proceedings relative to it must necessarily be referred to their authority and decision. Considering myself responsible to my superiors only for the official opinion which I may be called upon to state in the execution of my duty, and the opinions which I stated relative to the tent contract system having been acted upon by the Government, I judge it to be a duty which I owe to myself, to the station which I hold, to the public service, and to the interests of my country, to submit my situation to the consideration of the Government, and to appeal to their justice for the support of my public conduct, and the vindication of my character.

I have the honor to be, Sir,

Your most humble

Fort St. George,
22d January, 1809.

And obedient servant,

(Signed)

J. MUNRO,

Quarter-Master General.

Lieutenant Colonel John Munro, Quarter-Master General of the army, placed in arrest by order of the Commander-in-Chief, on the 20th January, 1809, charged as follows, *viz.*

CHARGE.—We, the undersigned officers, do hereby charge Lieutenant Colonel John Munro, Quarter-Master General of the army, and Captain in the Madras European regiment, with conduct unbecoming the character of an officer and a gentleman, in the following instance, *viz.*

For having, in his proposed plan for the abolition of the tent contract, lately held by officers commanding Native corps, made use of false and infamous insinuations, thereby tending to injure our characters as officers, and injurious to our reputations as gentleman.

(Signed)

C. Rumley, Lieut. Col. Com. 5th Reg. Cav.
A. Sentleger, Lieut. Col. Com. 6th Reg. Cav.
P. K. Vesey, Lieut. Col. Com. 2d Bat. 6th Reg.
J. Knowles, Capt. Com. 1st Bat. 3d. Reg.
Rt. Munro, Major 2d. Bat. 20th Reg.
Andrew Mac Dowall, Major 15th Reg.
H. F. Smith, Capt. Com. 2d Bat. 14th Reg.
P. Richardson, Major Com. 2d Bat. 2d Reg.

G. Lang, Major Com. 1st Bat. 13th Reg.
Charles Lucas, Capt. Com. 2d Bat. 3d Reg.
J. Durand, Lieut. Col. Com. 2d Bat. 8th Reg.
G. Martin, Lieut. Col. Com. 1st Bat. 15th Reg.
W. Orrock, Lieut. Col. Com. 1st Bat. 8th Reg.
John De Morgan, Major 2d Bat. 22d Reg.
J. P. Keasberry, Capt. Com. 2d Bat. 9th Reg.
J. Lindsay, Capt. Com. 2d Bat. 22d Reg.
J. M. Vernon, Major Com. 2d Bat. 12th Reg.
J. Whitley, Major Com. 3d Bat. 19th Reg.
Alex. Muirhead, Major Com. 2d Bat. 18th Reg.
G. Neal, Major Com. 1st Reg. Native Cav.
H. Fraser, Major Com. 2d Bat. 5th Reg.
M. Stuart, Major Com. 2d Bat. 17th Reg.
C. Deacon, Major Com. 1st Bat. 16th Reg.
C. Farran, Capt. Com. 2d Bat. 21st Reg.
R. Fletcher, Lieut. Col. Com. 1st Bat. 12th Reg.
G. M. Gibson, Capt. Com. 1st Bat. 10th Reg.
J. Dunn, Lieut. Col. Com. 8th Reg. Cav.
A. Flöyer, Lieut. Col. Com. 3d Reg. Cav.

A true Copy of Signatures,

(Signed)

F. CAPPER,
Adj. General.

Countersigned by order of Lieutenant General
Macdowall, Commander-in-Chief.

(Signed)

F. CAPPER,
Adj. General.

Lieutenant Colonel MUNRO, Quarter-Master
General.

SIR,

Upon a re-perusal of the papers connected with the charges given in against you by a respectable body of the officers of the army, I have, in addition to what I informed you of this morning, found it necessary to order you to be placed under an arrest, and I shall recommend it to my successor to bring you to trial upon the charges preferred against you, as I find that, in the opinion of the Judge Advocate General, any court martial ordered to be assembled by me could only be confirmed by my own signature. I regret that this subject has not been sooner decided upon, but being desirous of obtaining every opinion, and a recent one of some importance having only been forwarded to me a few days ago, it was impossible to avoid delay.

I am, Sir,

Your very obedient servant,

(Signed)

HAY MACDOWALL.

Madras, Jan. 20th.

To His Excellency Lieutenant General
MACDOWALL, &c. &c. &c.

SIR,

I have received the letter and message which your Excellency has been pleased to convey to me through the channel of the Deputy Adjutant General; and I beg leave to inform you, that, in obedience to your commands, I consider myself to be placed under an arrest from this date. Having this morning expressed your intention to leave the whole subject of the charges preferred against me to the consideration of your successor; I cannot refrain from stating the sentiments of surprise that have been excited in my mind, at your adopting a step which is, in some measure, decisive of the question, and must contribute to embarrass the exercise of your successor's discretion, relative to the most advisable means of finally arranging a point upon which a diversity of opinion has existed. It is far from my wish to express an opinion regarding the nature of the proceedings which you have been pleased to follow; but a sense of public duty induces me to notice the extraordinary spectacle of an officer, holding one of the first situations under the Government, being placed in arrest

by a Commander-in-Chief, for a report prepared under the special orders of the preceding Commander-in-Chief, which the latter declared, upon record, to be the combined result of his own and that officer's reflection, and which has received the entire approbation of this and the Supreme Government.

Holding an appointment of importance under the Government, I have the honor to express a request that your Excellency will be pleased to communicate information to the Honorable the Governor in Council, of the measure which you have adopted, in order that arrangements may be made for the conduct of the departments which the Government have entrusted to my care.

I am, Sir,

Your obedient servant,

(Signed)

J. MUNRO,

Quarter-Master General.

Fort St. George, 20th Jan. 1809.

Lieutenant Colonel MUNRO, Quarter-Master
General.

SIR,

Actuated but by one motive, an earnest desire to do justice to every individual under my

command, I had long deliberated on the uncommon and interesting case of the principal officers of an army, having given in charges against one of the general staff. I had endeavoured to obtain every information that might guide me in deciding, and if I have erred in the judgment, I cannot well be accused of rashness. In place of embarrassing my successor by the step I have pursued, I have so cleared the path that he cannot go astray. I think you should be tried; and if I had left the papers containing the charge, the several opinions, and the explanation, to General Gowdie, without putting you under an arrest, I should have left the door open to the possible introduction of undue influence and arbitrary power. The General has only now to assemble a court martial, which he will be enabled to do in a few days, and he is expected immediately here, and if you are acquitted, you will then have an opportunity of bringing forward those who have endeavoured to traduce your character.

I am, Sir,

Your very obedient servant,

(Signed)

HAY MACDOWALL.

Madras, Jan. 21, 1809.

To the CHIEF SECRETARY of Government.

SIR,

Conceiving that every officer holding a situation under the Government, has a right to appeal to their authority on points connected with his public conduct, and involving considerations connected with the authority and the measures of the Government, I judged it to be my duty to address a letter to the Secretary of Government through the channel of the Commander-in-Chief, on the subject of proceedings which have been instituted against me, in consequence of an official report, which forms a part of the acts and records of the Honorable the Governor in Council. The Commander-in-Chief having returned that letter, it has become my duty to transmit it to you direct; and in having recourse to this unavoidable measure, I beg leave to declare that I have no intention whatever of manifesting disrespect to the authority of the Commander-in-Chief. I also transmit a copy of a letter which I have received from the Commander-in-Chief. If the subject which I now submit to the decision of the Government had been purely of the military nature which the Commander-in-Chief is pleased to state, I

certainly should never have thought of appealing from his decision, but in the inseparable connection of that subject, with the arrangements, the authority, and the dignity of the Government, I trust that sufficient reasons will be found for the measure which I am now obliged to adopt.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

J. MUNRO,
Quarter-Master General,

Fort St. George,
23d January, 1809.

Lieutenant Colonel MUNRO, Quarter-Master
General.

SIR,

I have received your letter, and a packet, addressed to the Chief Secretary of Government, the contents of which I have perused.

As I cannot admit that the Honorable the Governor in Council can interfere in a question purely military, and which rests entirely on my own judgment, I cannot submit your remonstrance and appeal, as you are pleased to call it, to the Board, without compromising the high situation in which I am placed.

Had I conceived it at all necessary to have

resorted to the opinion of Government, I could myself have laid the papers before it ; but, after much reflection, I have, I believe, adopted a measure the least objectionable, and most likely to produce a perfect elucidation of the case.

I think it will be allowed, that your present attempt to make a reference to a Civil Government, is novel and unexampled, and striking a blow at the root of military authority, which cannot be sufficiently reprobated.

I trust that it will not be disputed, that I have the uncontrolled and unalienable right of judging of the conduct of every officer under my command, and I cannot but view your present application as extremely indelicate and disrespectful.

I am, Sir,

Your very obedient humble servant,

(Signed)

HAY MACDOWALL.

Madras, 23d Jan. 1809.

(F.)

To the ADVOCATE GENERAL.

SIR,

I am directed by the Honorable the Governor in Council, to transmit to you the enclosed papers, which have been submitted to

the Governor in Council by the Quarter-Master General of the army.

As it appears from the statement of that officer, that the charge preferred against him has been founded on proceedings which obtained the most formal sanction of the Government of Fort St. George, and of the Supreme Government, it is the desire of the Governor in Council, that you will state, with the least possible delay, your opinion respecting the degree of validity which a charge of that nature may be considered to possess, and the measures which it may be competent to the Government to adopt, under the circumstances of the case.

The several previous papers connected with the subject are transmitted for your perusal.

The Governor in Council, being desirous that a full consideration should be given to this question, it is his desire that you will communicate on the subject with the Judge Advocate General, to whom a copy of this letter has been forwarded.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort St. George,
23d January, 1809.

(G.)

To the JUDGE ADVOCATE GENERAL.

SIR,

I am directed by the Honorable the Governor in Council, to transmit, for your information and guidance, the enclosed copy of a letter of this date to the Advocate General.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

G. STRACHEY,
Secretary to Government.

Fort St. George,
23d January, 1809.

(H.)

To the CHIEF SECRETARY to Government.

Fort St. George.

SIR,

I have received your letter dated the 23d instant, referring to my consideration the papers submitted to Government by the Quarter-Master General, and desiring my opinion respecting the validity of the charges preferred against him, and respecting the measures competent to be adopted by Government upon the case. I have, according to the com-

mand of the Honorable the Governor in Council, communicated with the Judge Advocate General upon the subject to which your letter relates.

That officer, in addition to the papers furnished to me with your letter, has delivered to me his opinion, dated the 7th November last, upon the same subject, which I now inclose, and have no hesitation in declaring my perfect coincidence in the result of his very able and accurate investigation of the subject. He has furnished me with a copy of Sir John Cradock's minute upon the subject of the paper, against which the charges preferred against Colonel Munro are aimed. I am clearly of opinion that the paper in question does not contain any matter which can be the proper subject of the charge now preferred against him.

Where an individual thinks proper to come forward as the adviser and informer of the public authorities, he is bound, at his peril, to know, and to be able to prove, that he is well founded in his statements, where other individuals may be hurt by his suggestions. But Colonel Munro was placed in a situation in which he was bound to advise the Commander-in-Chief as to the state of the army, and to deliver his sentiments, such as they were, and from such sources as he might have opportunity of forming them;

liable, like all men, to be misinformed, or to err in his conclusions; if he had been called upon to state his opinion, as to the conduct or character of any individual of the army, he was bound freely, fully, and conscientiously, to do so, and was entitled to protection in it, however hard that opinion might bear upon the individual. The regular and authorized adviser of the public authorities, becomes identified with the authorities which consult him. He is answerable to them, and to those superiors to whom they are answerable, but not to the persons whom these authorities have to control; and against whom it may have been his duty to advise. I perfectly accede to the proposition of Colonel Manro, that if the adviser of any public authority were to be amenable to the individuals affected by the advice given, no man could do his public duty with safety. But the paper complained of appears, and has already been shewn, from the report of the Judge Advocate General, not to contain even a charge against any individual officer or body of officers, but is merely a general statement of the situation of the army, with general reasoning upon it, in which the Commander-in-Chief and the Government fully acquiesce. Indeed, by the extract furnished me of the minute of the late Commander-in-Chief, it is

evident that the statements and arguments used in that paper are the result of the joint experience, as well as of the joint reflection of the Commander-in-Chief, and Colonel Munro. Those suggestions having been adopted in practice by the highest authority, are now its acts.

I am clearly of opinion that the charges founded upon that paper of Colonel Munro, at the instance of the officers affected by it, ought not to be sustained; and that Colonel Munro is entitled to the decided support and protection of the authorities under which he acted, to prevent his being brought to trial upon those charges; or perhaps it would be more correct to say, that the superior authorities are entitled to vindicate their acts from being questioned by those under their control, in the shape of a trial, of the advice under which those acts have proceeded.

The report of the Judge Advocate General, shews, in a very strong manner, the effect which such a trial might be expected to produce upon the discipline and subordination of the army.

From his information I am confirmed in supposing, that in ordinary cases the more regular course of correcting an embarrassment would be through the intervention of the Commander-in-Chief, by signifying to him the opinion and intentions of Government; but he agrees with me

in opinion, that if in any particular case a necessity should arise (of which Government are the only judges) to exert their indisputable supreme authority, directly and immediately, it is perfectly competent for them so to do, by discharging any officer from arrest, or such other measures as the exigency of the occasion may require.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

A. ANSTRUTHER,
Advocate General.

Madras,
24th January, 1809.

To the ADJUTANT GENERAL of the Army.

Sir,

I had the honor on the 1st instant to receive your letter, covering a charge against the Quarter-Master General of the army, Lieutenant Colonel Munro; and desiring, by orders of his Excellency the Commander-in-Chief, my opinion, whether the charges could be legally brought forward in their present form.

As, in the construction of law, the legal form is intimately connected with the substance, it became material to look into the whole circumstances of the case; and I was therefore induced, by my letter to you of the same date, to request to be

furnished with a copy of the paper alluded to in the charges; your letter, in reply, acquaints me, that you had sent the whole of the papers, as transmitted to head-quarters.

Having had occasion to see the Commander-in-Chief the same day, I was furnished by his Excellency with a copy of the paper in question.

As the case is altogether new and unprecedented, and involves in it questions of the greatest importance to military discipline. I have taken time to consider it with some attention; and in stating my opinion, I beg to be allowed the liberty of also submitting the grounds on which it is supported; and for the more clear apprehension of the whole, I shall observe the following order:

- 1st. To state the fact, or subject of the charge.
- 2d. To state the clear and established principles of law.
- 3d. To apply the law to the fact.
- 4th. To subjoin such general observations as may appear to arise out of the collateral considerations of the case.

1st. *As to the fact, or subject of the present question.*

It rests on the following charge:

“We the undersigned officers do hereby charge
“Lieutenant Colonel John Munro, Quarter-

“ Master General of the army, and Captain in
“ the Madras European regiment, with conduct
“ unbecoming the character of an officer, and a
“ gentleman, in the following instance, *viz.*

“ For having in his proposed plan for the
“ abolition of the tent contract, lately held by
“ officers commanding Native corps, made use of
“ false and infamous insinuations, thereby tend-
“ ing to injure our characters as officers, and
“ otherwise injurious to our reputations as
“ gentlemen.”

This charge is signed by twenty-four officers commanding corps, and forwarded in a letter, dated from Bangalore, 25th of September last, addressed to Captain Macpherson, the Secretary to his Excellency the Commander-in-Chief, Lieutenant General Macdowall, and signed by the Honorable Lieutenant Colonel Sentleger, and Lieutenant Colonels Rumley and Martin.

The letter, after stating the injury they conceived they had suffered upon accusations which the Quarter-Master General has insinuated against them in his public report, adds, that a copy of the charge has been forwarded to the other divisions of the army, which in due course, they trust, will be transmitted to head-quarters.

As the charge is too generally stated to be

clearly understood, it became necessary to refer to the paper on which it was grounded, being the Quarter-Master General's report on the abolition of the tent contract.

The following is understood to be the offensive passage in that report—Thirdly, “ By granting
“ the same allowances in peace and war for the
“ equipment of Native corps, while the expenses
“ incidental to that charge, are unavoidably much
“ greater in war than in peace, it places the duty
“ and interests of officers commanding Native
“ corps, in direct opposition to one another ; it
“ makes it their interest that the corps should not
“ be in a state of efficiency fit for field service,
“ and therefore furnishes strong inducements to
“ neglect their most important duties.”

It appears that the late Commander-in-Chief, Sir John Cradock, addressed a letter on the 7th of February, 1807, to Lieutenant Colonel Munro, as Quarter-Master General of the army, stating that the subject of the camp equipage had for a long time engaged his attention, and that the subsisting arrangements were found erroneous.

He therefore requested, that he would, without loss of time, take this subject into his special consideration, and give him (the Commander-in-Chief) every assistance that might enable him to form a just judgment.

This letter is marked private and confidential.

The Quarter-Master General, in obedience to the above directions, enters into an examination of the existing system of camp equipage and carriage of the Native troops of the army, which he submits to his consideration in the form of a report, and forwards to him in a letter under an official address, on the 30th of June, 1807.

This report would appear to have been favorably received and approved of by the Commander-in-Chief, as the plan it suggested was afterwards in part, if not altogether, adopted.

The papers before me do not furnish means of tracing the further progress of the Quarter-Master General's report; but it seems known to have gone both before the Madras Government, and also that of Bengal; and will no doubt come in the regular course before the Honorable Court of Directors.

The duties of the office of Quarter-Master General, come naturally to be considered in this part of the case, for they are circumstances of fact.

As Quarter-Master General, the department of the camp equipage is peculiarly under his charge; and accordingly he is the proper person to advise the Commander-in-Chief on that head.

It was proposed in the second place to state the clear and established principles of law.

It may be assumed as a principle, that a Commander-in-Chief of an army, has a right to call for the advice and opinion of any officer under his command, on a subject of military arrangement under that officer's peculiar department; and the opinion so called for, is bound to be given, *bonâ fide*, according to his best abilities.

Wherever the law enjoins a duty, it protects the agent in the legal discharge of it. The legal discharge I take to be, where the act is done according to the usual and common course of things. On the other hand the law will not allow any one, under the pretence of duty, to do a wanton and malicious act. If it is necessary that men should be protected in the due discharge of their powers, it is equally so that they should not be allowed to pervert those powers to a bad end. But a regard to public conveniency has established certain bars to the hasty accusation of public officers; in order that they may not be intimidated from doing their duty. No action accordingly, will be against a judge for any act done in his judicial capacity; nor against a grand jurymen, for presenting or finding a bill of indictment; nor

against a *petit* juryman, for his verdict; though the act done should be charged to be wrongful and malicious. This rule must have been adopted on the principle stated by Lord Coke, namely, that it would deter jurors from the public service, if they were liable to such an action in every case, where, in the opinion of the parties against whom they had decided, their decision proceeded from malicious motives. If such actions could be maintained, the multiplicity of them would render it impossible for a judge or juror to discharge the duties of his office. The exemption is therefore established on behalf of the public, and results from principles of policy and convenience. A private prosecutor, of a malicious prosecution, is liable to an action on the case, for a malicious prosecution in preferring such an indictment before a grand jury. Yet, if the same person, serving on the grand jury, were maliciously to present, or to find such an indictment, no action would lie. Thus, it is clear, that the same act done by the same person, and proceeding from the same evil motive, is or is not actionable, according to his acting in a private, or a public capacity. In Hawkins, (*Pleas of the Crown*) it is laid down, "That no one is liable to any prosecution whatever, in respect of any verdict given by him in criminal matters, either upon the grand or petit

“jury;” and he states the reason to be, “That they may not be biassed with the fear of being harassed with vexatious suits, for acting according to their consciences.”

The following may be stated as clear law, *viz.*

No act done under the direction, and with the sanction of one authority, can be converted into a matter of crime, by any succeeding authority of similar and co-extensive powers, unless the act was, of itself, originally a crime by the general law of the land. The above are the more general principles of law; subordinate ones will come to be brought forward in the further course of the examination.

And now to apply the law to the fact or circumstances of the case.

It was observed, that wherever the law enjoins a duty, it protects the agent in the legal discharge of it. This principle applies to every state of society, but is peculiarly recognized in regard to words or writings, necessarily used to the disadvantage of others.

The essence of the present charge seems to be, that the report was a libel, or defamation. But, in order to judge how far it can be regarded as a culpable, or justifiable act, it may be proper to consider the general rules of law, as to that

species of offence, as they will furnish principles applicable to the present case.

“ Nothing shall be construed a libel which is
“ necessary in the course of legal proceedings, and
“ is relevant to the matter which is before the
“ Court. So no matter which is stated in any memorial or petition for the redress of grievances,
“ and addressed in the proper channel, by which
“ such redress may be had, that is, to the persons
“ only who have power to give such redress, shall
“ be deemed libellous. As where the defendant,
“ being Deputy Governor of Greenwich Hospital,
“ wrote a large volume, of which he also printed
“ several copies, containing an account of the
“ abuses of the Hospital, and treating the character of many of the officers of the Hospital, (and
“ Lord Sandwich in particular, who was then
“ First Lord of the Admiralty) with much asperity.
“ He distributed the copies to the Governors of the
“ Hospital only ; but it did not appear that he had
“ given a copy to any other person. On a rule
“ for information for this as a libel, Lord Mansfield held, that this distribution of the copies to
“ the persons only who were, from their situation,
“ called on to redress the grievances, and had,
“ from their situation, power to do it, was not a
“ publication sufficient to make that a libel ; and
“ he seemed to think, that, whether the paper was

“printed, or in manuscript, under these circumstances, made no difference.” (*Espinás's Nisi Prius*, p. 505, 6.)

This principle obtains, not only in regard to judicial proceedings in Courts of Law, but in respect to memorials presented to Parliament, or to other public bodies. Where a memorial or petition is presented to a Court of Justice, or to persons holding cognizance over the case, they are held to be the only judges whether the expressions it contains are proper or not; and such as they deem irrelevant, or too offensive, they will direct to be struck out, or censure the memorialist for having used.

The same principles apply to the present case. The observations of the Quarter-Master General arose out of the nature of the subject, and were made in the discharge of an official duty: neither were they made public, further than the necessity of the case required. The letter of the Commander-in-Chief is headed *private* and confidential. At the bottom of the copy, which I have received, there is subjoined: “This letter was “afterwards recorded on the proceedings of Government, as a public document.” But surely it did not become a public document, from the circumstance of being so recorded; for the proceedings of Government are not open to public

or general inspection, and access can only be had to them on an official application for some purpose of duty. An application to Government from any of the officers who signed the charge, for the purpose of examining how far they were personally injured by the report, would not, it is believed, have procured access to the records; at least during the period of former Governments, stronger personal grounds for inspection of papers have been refused. A Court of Justice will refuse a copy of their proceedings, in order to ground a criminal prosecution on, where they disapprove of the measure. In like manner a Government, it may be supposed, will refuse a paper from their records, where they conceive it as to be used to the detriment of an individual, whose conduct they have sanctioned; or if they should grant it at all, it will only be on a legal notice from a Court of Justice. But be this as it may, if the original letter from the Commander-in-Chief was private, the letter in reply to it must be considered equally so, as being a mere accessory or contingency to the first, and therefore following the nature of its principle. And the inferior officer could not well enjoin secrecy to the Commander-in-Chief, on the face of this letter, as he had done. There is, therefore, no ground for considering the letter as a paper open to the

public uses that has been made of it; and if the paper is not published, and acted upon by official authority, it must be considered as a surreptitious document from one of the public offices, which that office can interdict the further use of; the same as the Court of Parliament, or other Court, may interdict the publication of their records, until their permission in that respect is first obtained.

Government have, therefore, a clear right to stop all further proceeding, by their servants, as to that paper, it being part of one of their records in the secret and political department. Any servant refusing to obey their orders, in this respect, might be liable to forfeit their service: we give this as the extent of their legal powers; how far they may judge it proper to act on these, is entirely within their own discretion.

No act, it was observed, done under the direction, and with the sanction of one authority, can be converted into matter of crime, by any succeeding authority of similar and co-extensive powers, unless the act itself was originally a crime by the general law of the land.

A political measure being often only fit, or unfit, in reference to particular junctures or times, is always examinable by a succeeding Government, and adhered to or reversed on their

discretion. But a legal or moral question being at all times equally certain, is never drawn in question before a succeeding Government, where the former had sanctioned the act, unless the thing complained of was distinctly a crime, and had not been tried. Lieutenant Darke, of the Artillery, laid some complaint before General Clarke, as Commander-in-Chief, respecting a Court of Enquiry, that he conceived he had suffered by, during the period of Colonel Braithwaite's command of the army, his (General Clarke's,) answer was, that he supposed the former Commander knew his powers, and he was not come out to examine into the acts of his predecessors. I take this from memory, having no note of the transaction.

The principle in these cases is, first, that there is a certain period at which jurisdiction naturally commences; and secondly, that equals have no authority over equals. Thus a decree passed by one or two judges, cannot, in case of an appeal, be reversed but by a greater number, or by a higher authority. Error in Parliament can only be reversed there, because there is no higher authority.

That a positive crime, when committed during the period of a former Commander-in-Chief's command, and not then proceeded against, may

be prosecuted during the period of his successor's authority, is clear; unless proscribed by the King's articles of war. But where the matter is not of itself a declared crime by positive law, but only becomes so by inferences and constructive reasoning, and has arisen out of the act of the former Commander, it would appear to me very doubtful how far it could, on this new sense of things, become punishable. "Every member of society, (says *Baccaria*) should know when he is criminal and when innocent," ch. XI. But it is impossible to know this, if an act is to be sanctioned by one Commander-in-Chief, and then regarded as a crime by his successors: for it is necessary that the thing should be regarded as a crime, before a criminal charge can be admitted in regard to it.

The great principle of military law, as handed down from the most ancient times, is, "Let there be no appeal in military cases. Let the order of the General who commanded be taken for just, and ratified." Such was the rule of the Romans, who best understood military discipline; and this principle we see adopted in courts of common law, who seldom or never admit of any military case being brought before them.

But to go more minutely into the actual merits of the present case. The Quarter-Master Ge-

neral's crime consists, in having said, that the same allowances, in peace and in war, places the interest and duty of officers in direct opposition. It makes it their interest that their corps should not be in a state of efficiency fit for field service, and therefore furnishes strong inducements to neglect their most important duties.

It is to be observed in what capacity these words were spoken. They were given as a general principle for establishing certain laws for the government of a community; but is this a new observation that mens' duties and interest should not be placed in opposition? "Those
"that have written upon Civil Government,
" (says an eminent author,) lay it down as a first
" principle, and all historians demonstrate the
" same, that whoever would found a State, and
" make proper laws for the government of it,
" must pre-suppose that all men are bad by
" nature, and that they will not fail to shew
" that natural depravity of heart, whenever they
" have a fair opportunity; and though it may
" possibly be concealed, for a while, on account
" of some secret reason, which does not then
" appear to men of small experience, yet time,
" (which is therefore justly called the father of
" truth,) commonly brings it to light in the end."

And the same principle is to be found in every

writer on Government; laws, we are told, are made to guard against what men may do, and not to trust to what they will do. Nor is the sentiment confined to barren generalities or speculative authors: it is adopted into vulgar daily practice, and the same principles delivered in nearly the same words, and applied to the same body of men, is to be found in a report delivered into the same Commander-in-Chief, only a few months previous to the date in question. It had been the practice for Government to allow officers commanding stations, a certain percentage on spirituous liquors, sold by the public agent, for that commodity. The consequence was, that the more liquor that was drunk by the men, the more fanams come to be shared by the commanding officers, on the yearly division of the profit. The head surgeon of the centre division conceived that this circumstance might, in some instances, encourage drunkenness, by inducing officers to wink at abuses; and he therefore, in one of his reports, suggests the expediency of this source of gain being done away, "because, (he says,) it can never be proper for "a wise Government to place mens' duties in "opposition to their interest." I quote from memory; but the above, I believe, will be found to be nearly the words used by Mr. Head

Surgeon Berry, in one of his reports on the centre division, for 1806.

The impression struck me the more forcibly, as a not incurious illustration of the various changes that the principles of our thinking undergo in a few years.

If the remarks of the Quarter-Master General are founded on principle, they cannot be regarded as criminal. The law of England (which is founded on good sense, and on inferences drawn from common life) never allows duty and interest to come in competition, because it believes that the latter will always prove too strong for the former. A man shall not be judge in his own cause ; a jurymen shall not sit where he has an interest ; a witness shall not be heard where he would gain an advantage one way or other by the decision of a cause. Nay, he shall not be heard where he even supposed himself interested, or where his honor may be affected by the testimony he gives, These exceptions are urged every day against the individuals. The judge is objected to, the jurymen is challenged, the witness is set aside ; yet none of these thinks his credit affected. How then can those officers pretend to say that their characters is affected by a principle established by all political writers, and adopted by our laws as one of the safeguards of society.

Let us reverse the case: it has been given as a good rule for the examination of the justness of any proposition to reverse its principle, and then to view the amount, Supposing then, that the Quarter-Master General had used the converse of the proposition, and had expressed himself thus—"It is very true that this allowance "puts mens' duties in opposition to their interest, "but it is not to be supposed that they will "allow the consideration of the one to affect the "discharge of the other." Would such proposition have been held discreet and prudent in a public man? Would it have been considered as a proper principle in an officer, whose duty it was to control the expenditure of public money, and to check the sources of corruption? Has not the whole system of our service, and of every service in the world, proceeded upon this very principle, he is charged with using? Why were Muster-Masters formerly established? And why was the payment of the corps taken away from the Commanding Officer, and given to the officer commanding troops and companies; or why are so many forms and checks established for the cloathing, supplies, and management of an army, but upon the principle, that duty is but a feeble guard against interest and self-gain? Was it ever objected to the officers who proposed those

checks against corruption and abuses, that their plans were injurious to the character of the army? It may be true, that these checks are not perhaps necessary in many instances. The great body of an English army (and of this army in particular) will always be found to be men of honor and integrity; yet as exceptions are sometimes to be found in the characters of particular individuals, and as laws always speak a general language, and prescribe alike against all, the common arrangements must every where proceed, as if the whole community required the same check. How then can it be criminal in an officer to have acted and advised on this principle? A crime implies the violation of some law, the neglect of some duty, or the infringement of some moral principle; but he acted in conformity to the spirit of our law, in obedience to his duty, and in support of the moral principle, which will always be best supported by removing men from the temptation to do wrong.

Fourthly. It was proposed to subjoin such general observations as may appear to arise out of the collateral considerations of the case.

The liberty of discussing public measures has been always regarded as one of the first rights of society, but it is very immaterial whether that right

is to be controlled by the hand of power, or the combination of party.

In either case the effect is the same ; the present is an attempt to control the discussion of public questions in the councils of Government, and the Commander-in-Chief, by a combination of officers. It is impossible not to see the consequences of such an attempt : if they have a right to come forward in this instance, they have a right to do so equally in every similar one, where they find their interests or their feelings affected. What security then can any public officer have for doing his duty ? In the discharge of my own office, as public prosecutor, I have every day to contend against the vices and passions of society. Every other office that is intended as a check on these, has the same duty to perform ; but what security can I, or any other officer, have against a criminal charge, if this one is tolerated ? Under such circumstances, men in public stations will be afraid to act. Those, whom their office is intended to control, will insult and threaten them.

It may be said, that the number of names affixed to the charge calls more particularly for its being enquired into ; but the number of persons engaged in any act, does not therefore legalize it ; two or more imperfect things do not make one perfect. The number of signatures only shows

the spirit of combination, and the necessity of resisting it. Our laws expressly forbid tumultuous petitions; and the principle is still more applicable to a military society.

Wherever a trial has been irregularly demanded Commanders-in-Chief have always resisted granting it; unless on charges preferred by the immediate Commanding Officer against his inferior, whom he can order in arrest by his own act. The instances indeed of these refusals, are not so numerous as might perhaps be expected; because the case is not always submitted to the previous inspection of a Judge Advocate, which might prevent a number of irregular complaints being examined into; and which only occasion a needless expense, and interruption of the public service.

It may be thought, perhaps, that the Quarter-Master General's character can only be cleared up by a public enquiry. But every man's character is sufficiently cleared, when the law does not raise that presumption against him which is necessary to put him on his trial. All trial is an investigation of something that is doubtful; but here the fact speaks for itself; the legality of an official act, being proved by the act itself, where the superior authorities have ratified and confirmed it.

And there could be no honor in defending a charge which the accusers' had no right whatever to agitate or prefer.

(Signed)

J. LEITH,
Judge Advocate General.

Fort St. George,
7th November, 1808.

(I.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I have the honor to acquaint your Excellency, by desire of the Honorable the Governor in Council, that the Quarter-Master General of the army has laid before the Governor in Council a representation of the circumstances under which your Excellency has adopted the determination of placing that officer in arrest.

The Governor in Council directs me to state to your Excellency, that this event has excited in his mind the most painful feelings. It is impossible, at the moment of the dispatch of the fleet for England, to go into a minute explanation of all the considerations connected with it; but I am directed to suggest, in the most earnest manner, for your Excellency's consideration, that

the act on which it appears that the charge preferred against Lieutenant Colonel Munro has been founded, is now the act of the Government, having been approved and adopted in the most public and formal manner, both by the Government of Fort St. George, and by the Supreme Government. The Governor in Council is called upon, therefore, to state, that he can never give his concurrence to the exposure of a public officer to obloquy and degradation, for opinions which he may have expressed in the fulfilment of his public duty, approved and confirmed as those opinions have been by every competent authority.

The Governor in Council is at present unable to discuss the particular grounds of the opinions in question ; but he thinks it proper to observe, that he has looked in vain for any just cause of complaint, that it might be possible, by any construction, to attach to them ; and this consideration must add to the weight of public obligation imposed on the Government, to give its firmest support to an officer, against whom no other charge is apparently imputable than that arising from the faithful and conscientious performance of his public trust.

As it is impossible that the conduct of Lieutenant Colonel Munro can be submitted to the

cognizance of a court martial, on the charge now preferred, without involving a discussion and trial of the public measures of the late Commander-in-Chief, and of the Government, the Governor in Council might have been led to expect a previous communication from your Excellency on this important question; and the Governor in Council cannot but deeply feel the sentiments which have been expressed by your Excellency in some part of the papers now before the Government. The Governor in Council, however, under the pressure of the occasion, waves all considerations of this nature, and his views being solely directed to the means best calculated to preserve the foundations of public confidence, and of public authority, I have been commanded most earnestly to recommend to your Excellency the release of Lieutenant Colonel Munro from his present arrest.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort St. George,

24th January, 1809.

(K.)

GEORGE BUCHAN, Esq. Chief Secretary of
Government.

SIR,

I am favored with your letter of this date, and have the honor to request that I may be favored with a copy of Lieutenant Colonel Munro's appeal to Government, which I only cursorily inspected when transmitted to me by that officer, and until I have perused it, I shall take the liberty to defer replying to the dispatch from you, written by the command of the Honorable the Governor in Council.

I am, Sir,

Your very faithful servant,

(Signed) . HAY MACDOWALL.

Madras, Jan. 25, 1809.

(L.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the Governor in Council, to acknowledge the receipt

of your letter of this date, and have the honor to transmit to your Excellency, by the desire of the Governor in Council, the original letter received from Lieutenant Colonel Munro.

It being an original paper, it is the request of the Governor in Council, that your Excellency will give directions for its being returned, when not further required.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Sec. to Government.

Fort St. George,
25th January, 1809.

(M.)

GEORGE BUCHAN, Esq. Chief Secretary to
Government.

Madras, Jan. 25th, 1809.

SIR,

It is not without a mixture of surprise and regret, I have perused your letter of yesterday's date, on the subject of the arrest of the Quarter-Master General: I was totally unprepared to receive from the Honorable the Governor in Council an implied censure on my

conduct as Commander-in-Chief of this army, and a direct interference from the Civil Authority with the only prerogative almost remaining in his hands, the power of judging of the propriety of bringing to trial every officer, who may be accused of crimes or misdemeanors ; such interference, I presume to think, is unprecedented ; and strikes me as encouraging a very dangerous example, by holding out to the army protection and support, in defiance of the judgment and authority of the person appointed by the Legislature to direct and control the department placed under his immediate charge : it reduces the articles of war to a dead letter, and is destructive of every military principle.

The charges preferred against Lieutenant Colonel Munro, by a body of respectable officers, after much reflection, I saw no correct method of disposing of, but by the measure I have adopted ; it is the only legitimate method of affording him an opportunity of vindicating his character, and in that event, being the result of the deliberations of a court martial, he will then be enabled to bring his accusers to trial. They are answerable for their acts, and the perseverance with which they adhere to their purpose, has led me to imagine that they consider their proceedings as the best

adapted to relieve them from injurious aspersions.

Under this view of the matter, the observations of the Honorable the Governor in Council, in regard to the plans of the Quarter-Master General having been approved by Government, cannot occasion, on my part, any deviation from the line to be pursued, which is strictly military; nor can I evade bringing the question to issue, without compromising the honor of the whole army. I therefore very sincerely have to lament that I cannot comply with a recommendation so earnestly urged by the Honorable the Governor in Council.

I have farther to state, for the information of the Honorable the President in Council, that I shall direct a charge to be exhibited against Lieutenant Colonel Munro, for disrespect to the Commander-in-Chief, in presuming to address Government; it being contrary to established orders, subversive of military discipline, and in opposition to the customs of the service. To elucidate this subject, I have the honor to request you will submit to the Honorable the Governor in Council the accompanying extract of a letter from the late revered and lamented Marquis Cornwallis.

The warrant which I possess from his Majesty, and the commission I hold from the East India Company, guide me in the discharge of the important duties attached to my situation, and which vest in me certain rights and powers, which I cannot without danger, abandon.

Had any other process appeared to me practicable for lessening the difficulties of this disagreeable case, I should have been most happy in having had recourse to the mildest means for bringing it to a conclusion; but perhaps the Honorable the Governor in Council is not aware that, if Lieutenant Colonel Munro was released from arrest to-day, he would to-morrow, of himself, demand a trial, and, while his character suffers from the strong imputations against it, a court martial would be granted to him; it seems to be impossible to avoid a series of courts martial, and my judgment has led me to declare, that the Quarter-Master General shall be first tried. This officer endeavours to screen himself, by stating, that he holds a situation under Government, and presumes to deny the authority of the Commander-in-Chief; but the case is absolutely the reverse, as he is one of the principal staff of the person at the head of the army, and I deny that he can hold any communication but through the channel of his superior.

I have, at the desire of the Honorable the President in Council, returned Lieutenant Colonel Munro's original papers.

I have the honor to be, Sir,

Your very obedient, humble servant,

(Signed) HAY MACDOWALL.

Extract of a Letter from EARL CORNWALLIS,
dated Fort William, 14th March, 1789.—
Recorded in the Office of the Adjutant General
of the Army.

“ I trust if it has not been already
“ done, that the Government of Fort St. George
“ will, upon mature deliberation, see the neces-
“ sity of recalling so indefensible a resolution ;
“ and before I conclude this letter, I must ex-
“ press my wish, that it would be recollected by
“ the civil and military department at Madras,
“ that the * Adjutant General of the Com-
“ pany's troops, on that establishment, cannot,
“ without the greatest irregularity, unless, as I
“ have already mentioned, the functions of the
“ Commander-in-Chief should be exercised by the
“ Board, have any direct communication with

* The Quarter-Master General is in the same predicament.

“ the Civil Government. He has no independent
“ authority of his own, but is only an executive
“ instrument in the hands of the Commander-in-
“ Chief, or of the senior officer of the troops, when
“ discharging, as at present, the duties of that
“ office, for circulating his orders to the army,
“ in the manner that he may think proper to
“ direct. All Minutes of Council, or Orders of
“ Government, that relate to the troops, ought
“ to be addressed directly to the Commander-in-
“ Chief, or senior officer ; and he alone should be
“ held responsible to Government for the purpose
“ of distribution, and effectual execution of them.

A true Extract.

(Signed)

F. CAPPER,
Adjutant General.

(N.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the
Governor in Council, to acknowledge the receipt
of your Excellency's letter, of the instant ; and
to express the request of the Governor in Council

to be informed, whether he is to understand from that communication, that it is your intention to decline a compliance with the orders of the Governor in Council, on the subject of the release of the Quarter-Master General from arrest; as under the explanation conveyed in the letter which I had the honor of addressing to your Excellency, by desire of the Governor in Council, on the 24th instant, the Governor in Council considered that communication to be equivalent to the expression of his orders on the subject.

The Governor in Council will be solicitous to receive your Excellency's early reply on this point.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort St. George,
27th January, 1809.

(O.)

GEORGE BUCHAN, Esq. Chief Secretary to
Government.

SIR,

I am favored with your letter of this date, and lose not a moment to reply to it.

In my commission from the East India Company, it is stated that I am appointed Commander-in-Chief, at the Presidency of Fort St. George; subject however to the orders of the Governor in Council, but as in my humble judgment, this is meant to imply that such orders should be legal and constitutional, I do not see how I can yield up my military authority, without protesting against what I conceive to be an undue interference; this I am compelled to do in my own vindication, and to defend me from the displeasure of my Sovereign.

If under this protest, the Honorable the Governor in Council is pleased to persist in conveying to me a positive order that Lieutenant Colonel Munro shall be released, I must of course submit; by this act, the degradation of the Commander-in-Chief will be completed; and I shall most seriously lament that the Honorable the Governor in Council should have had recourse to so unexampled a measure.

I have the honor to be, Sir,

Your most obedient servant,

(Signed)

HAY MACDOWALL,

Madras,

27th January, 1809.

(P.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the Governor in Council, to acknowledge the receipt of your Excellency's letter, of this date; and to convey to you the orders of the Governor in Council, that you do forthwith release Lieutenant Colonel Munro from his arrest.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Secretary to Government.

Fort St. George,
27th January, 1810.

(Q.)

GEORGE BUCHAN, Esq. Chief Secretary.

SIR,

I have the honor to forward to you for the purpose of being laid before the Honorable the President in Council, a memorial from almost the whole of the officers in command of the Native

corps under this establishment, which they request may be transmitted to the Honorable the Court of Directors.

I beg leave to state, that I had not seen this memorial at the time I directed Lieutenant Colonel Munro to be placed under an arrest, upon charges preferred against him by these officers.

I have the honor to be, Sir,

Your very obedient humble servant,

(Signed)

HAY MACDOWALL,
Lieut. Gen.

Madras, Jan. 28, 1809.

(R.)

To Lieutenant General MACDOWALL, Com-
mander-in-Chief.

SIR,

I am directed by the Honorable the Governor in Council, to acknowledge the receipt of your Excellency's letter of this date, and to acquaint you that, under the orders recently passed on the subject of the charge preferred against the Quarter-Master General of the army, the Governor in Council considers the tenor of the memorial transmitted with your Excellency's letter to be objectionable, and improper to be

submitted to the Honorable Court of Directors ;
I have accordingly the honor to return the memorial, by desire of the Governor in Council.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. BUCHAN,

Chief Sec. to Government.

Fort St. George,
28th January, 1809.

(S.)

Extract from a Report addressed by the JUDGE
ADVOCATE GENERAL, to the Government of
Madras, dated 20th February, 1809.

THE General Order of the 28th of January, which the Commander-in-Chief issued, but which was not known to Government until his departure, was unhappily calculated (with whatever intentions it may have been issued) to set the army at variance with the Supreme authority.— It sets at defiance the orders of Government, by expressly declaring, that he would have brought Lieutenant Colonel Munro to trial, for having brought his case before them. By ascribing to that officer “a conduct destructive of subordination, subversive of military discipline, and in

“violation of the sacred rights of the Commander-in-Chief, &c.” it, in effect, imputes the operation of all those mischiefs to the Governor and Council, by their act of sanctioning and receiving Colonel Munro’s reference. This direct counter-action, on the part of the Commander-in-Chief, was flying in the face of Government: setting their authority at defiance in every orderly-book in the army; and rousing its feelings by every impulse to indignation and resentment, at what they had done.

After the Quarter-Master General had made his reference to Government, and they had admitted and approved of it, the Commander-in-Chief ceased to have any further cognizance of the question. The case had passed away from his jurisdiction to an higher authority; he could not therefore longer act in reference to it. Supposing for instance, that a party having a cause in an inferior Court, should appeal to a superior tribunal; after the higher Judge had admitted the appeal would it be competent for the inferior to threaten him with a trial; and to reprimand and insult him for the very act of having made it. In civil life this would be regarded as an outrage against all law and good order; and a reflection on the superior tribunal, that would not be tolerated for a moment.

After the extreme irritation which the order has now occasioned in the army, it may be thought superfluous to have spoken so fully to the import of it, which is sufficiently proved by its effects.— But it seemed proper to estimate the nature of the order, both from the words itself, and from a reflection on the feelings and present temper of those it was addressed to. For it would be no alleviation to say, that the agitation it has occasioned has been greatly owing to the present temper of the army; as that very circumstance ought to have induced a more than ordinary precaution in issuing it.

It now remains to observe on the conduct of the Adjutant General's office in this case. The situation of Adjutant General has always been thought the most important of any in our army; and great care has accordingly been taken to fill it with officers of the first talents and prudence. Indeed from the circumstance of the Commander-in-Chief being so often an officer from his Majesty's service, and a stranger to the manners and local usages of the country, nothing but the circumstance of his being assisted with sound and prudent counsel, in the person of his immediate adviser (the Adjutant General), could so long have ensured that good order and discipline which has prevailed. Colonel Capper, and his

deputy, Major Boles, ought to have been fully aware, on the present occasion, that the above order was fraught with the most mischievous consequences. And it was therefore their clear duty to have demurred to the issue of it. For I do not conceive that the illegality of an order consists in its being specifically forbidden by express law. Whatever is subversive of military discipline and civil obedience, is always illegal; whether such particular thing may, or may not, have been forbidden by any express law. The order in question went to subvert the very fountain of discipline and good order. For if soldiers are to be taught counteraction and contempt of the civil power, the first principles of all government is cut up by the roots. By the warrant of the Commander-in-Chief, the officers, &c. of the army are required to pay him "*due obedience.*" A limitation, which must always be implied in every country governed by civil laws. He himself is rendered "subject to all such rules, orders, "and instructions, as he shall receive from the "Governor and Council of Fort St. George."

It were needless to observe, that, under an English Government, an officer is only justifiable in obeying a legal order—a distinction implied by the articles of war, and recognized in daily practice.—These officers accordingly

ought to have demurred to the order. The General, we may suppose, would not have been disposed to push things to extremity. For though men in power are sometimes glad to find apt instruments to anticipate their wishes, they will hesitate to give positive orders for violent acts, where they see they are unwillingly obeyed. On these occasions, it is sufficient to be understood; any hint of this sort is always enough: for it must be rare, indeed, that a commander, under an English Government, will both intend to violate the law, and force his officers to do so.

The President in Council, accordingly, on finding that the first copy of the order which he had occasion to see, was countersigned by the Deputy Adjutant General, immediately declared that officer suspended from the service. It is usual, on such occasions, to notice, that the suspension is made until the pleasure of the Court of Directors is known; but as it was the intention, as I understood, to have restored Major Boles to the service, the moment that any proper explanation or apology was made by him, and which was naturally expected, no period was fixed for the suspension. It had been easy for Major Boles to state, had such been the case, that he hesitated as to the issuing of the order, but was

compelled by positive orders ; or to have apologized, by saying that he had done it in the routine of duty, without adverting to the consequences, and without any intention of being guilty of disrespect to Government ; but not one word of explanation was offered.

The plea of Colonel Capper, the Adjutant General, that he must either have complied or been exposed to the penalties of military law, appears altogether groundless. I know of no penalties for the rejection of an illegal order ; to an officer, who used a similar plea before an English Court of Justice, by saying, " I am to obey all my " superior officers, that is my commission ; or if " I do not, I die by the laws of war." He was told by the Court, " You are to obey them in " their just commands, all unjust commands are " invalid." (*State Trials*, Vol. I. p. 901.)

And the principle is distinctly recognized by every legal authority, as to commands, that are on the face of them, illegal, or of a mischievous tendency.

" The constitutional maxim, that the King can " do no wrong, is balanced by another maxim " not less constitutional, that the illegal commands " of the King do not justify those who assist, or " concur, in carrying them into execution. All,

“who either concur in an illegal order, by authenticating its publication, with their seal or subscription, or who in any manner assist in carrying it into execution, subject themselves to prosecution and punishment, for the part they have taken; and are not permitted to plead or produce the command of the King, in justification of their obedience.” (*Paley's Principles of Political Philosophy*, Vol. II. p. 228 and 9.)

Obedience is, no doubt, the duty of a soldier; but his first obedience is due to the civil laws of his country, and his second to the military.

A departure from this principle is always dangerous. It was forgot in the revolution against a former Governor, (Lord Pigot,) which it chiefly occasioned; but adhered to, during the troubles of Lord Macartney's Government, and it accordingly prevented some destructive consequences, which otherwise might have ensued. It will rarely happen, that any violent measures are ordered by a regular Government. But an ill-advised Commander-in-Chief, being a single person, and generally of a temper more fervent and professional, might, at the head of a discontented and clamorous soldiery, be the occasion of the most pernicious consequences, if once it were admitted

that every dictate of his caprice was law, and that the Civil Government might be insulted with impunity and triumph.

(T.)

MADRAS GAZETTE, of the 24th January, 1809.

Extract of a letter from Masulipatam, dated the 1st January.

On the morning of the 24th December, the General reviewed the Madras European regiment, which, after passing in review, performed a variety of manœuvres, and at the conclusion, his Excellency was pleased to address Colonel Taylor, at the head of his regiment, nearly as follows :

“ Colonel Taylor, in performing a necessary part of my duty, by reviewing the different corps on this establishment, it was my particular wish to see those in the Northern Circars, and particularly the Madras European regiment: from many circumstances, this regiment has, in a manner, been overlooked ; indeed I may say, neglected ; placed in a corner of this extensive country, it has seldom had its practice of duty with the other corps of the army.

“ Notwithstanding these circumstances, from my knowledge of your zeal and ability, Colonel

“Taylor, I was confident I should find this corps
“in the high state of discipline it has this morning
“evinced ; and it shall be my business, as much
“as lays in my power, to let the service benefit
“from this state of discipline, by calling it into
“more general notice, for I know that this state
“of inactivity must be painful to the feelings of
“honorable gentlemen and officers, and painful
“to the feelings of brave soldiers. Indeed
“I am at a loss to know the reason for this
“neglect. This regiment has always been forward
“for its courage and loyalty ; you are composed
“of the same materials as the other European
“corps in the service, and I am certain that the
“same brave and generous spirit actuates you.”

(U.)

To the Right Honorable Lord Minto, Governor
General, &c. &c. &c.

The respectful Memorial of the Officers of the
Madras Army.

Humbly sheweth,

That your memorialists, deeply im-
pressed with the sense of the duty which they
owe to their country, earnestly implore your

gracious interference for the purpose of correcting a system which has occasioned the most serious alarm, lest the rules and ordinances which define their place in the community, be completely subverted.

Your memorialists are not influenced by extravagant notions of freedom, or by any ideas of independence, inconsistent with the rigid subordination, which characterizes their profession, and is essential to its existence. They do not expect, nor do they ask for, the relaxation of any tie, or the dissolution of any bond, by which the stupendous fabric of an extensive army is sustained in a state of subserviency to the Supreme Power of the constitution, of which it forms a part, being justly sensible that inconsiderate indulgence or immunity engender habits of licentiousness, necessarily tend to destroy the principle of military discipline, and to render that body, which was formed for the protection of the State subversive of its tranquillity. But your memorialists, the free children of that country, which, while the rest of Europe is enslaved, boasts a constitution, the basis of which is liberty; your humble memorialists, not the abject slaves of a country enthralled by despotism, respectfully assert a claim to certain rights and privileges, the enjoyment of which may be allowed to them,

without impairing or encroaching on the dignity of Government, or in any way interfering with the other departments of the State.

Your memorialists have to lament generally, that, although their body is now extremely numerous, and the question regarding their duties, their claims, and their privileges, so multifarious as to require the assistance of practical experience in discussing the merits of them, yet they have not a representative in the Council of Government, where alone the discussions can be agitated. To this cause may be ascribed the recent measures which makes it necessary for your memorialists to implore your gracious interposition, as they are directly subversive of those principles of honor and discipline, which harmonise and cement the constitution of a military body; and are, at the same time, grossly insulting to the general character of the military profession.

A succinct notice of these measures will amply develop the principle by which your memorialists estimate the injuries they have already received, and the further abuse of authority which they have reason to apprehend; unless the system so manifestly hostile to the honorable feelings of a military body, be seasonably checked. It may be already known to your Lordship, that Lieutenant Colonel Munro, a member of the body

to which your memorialists belong, having incurred the suspicions of having acted in a manner that was most generally considered to have been criminal, was openly and publicly impeached by a considerable number of respectable officers, who preferred military charges against him. This measure was adopted, in the hope that a candid examination, before the honorable tribunal of a court martial, might confirm the supposed guilt, and lead to adequate punishment; or, if guilt really did not exist, that, purified by that ordeal, he might return to a place in that society, in which, as must be well known to your Lordship, suspicion is considered equivalent to infamy. In consequence of the charges, and by virtue of the warrant which gave to the Commander-in-Chief, and to him only, the judicature over the Madras army, and vested in him alone the jurisdiction of it for the time being; Lieutenant General Macdowall placed Lieutenant Colonel Munro under arrest, from which arrest he has since reluctantly released that officer, in consequence of the interferences of the Civil Government, who have thus disunited the chain, upon the integrity of which the principles of military subordination depend; for if the source from whence authority and subordination flow to all the members of the military body be violated, the subordinate

branches, which derive their existence from it, must lose their virtue.

Viewing the interference of the Civil Government to check the prescribed laws of military dependance, as a dangerous innovation and infringement of the solemn laws of the army, your memorialists perceive in it the seeds of unlicensed confusion and anarchy.

No desultory exercise of arbitrary power, however severe, can be expected to restrain the passions or feelings of enlightened men, although it may distress and mortify individuals. The doubt regarding its legality, and the pernicious principles, by which it must ever be regulated, deprive it of that authority and respect, which, attached to an established system of jurisprudence, sanctioned by the Legislature, by prescription, by habit, and by the feelings of those actuated under its influence.

In order to vindicate the character of his profession, and to maintain the integrity of the military authority over those under his command, Lieutenant General Macdowall directed the publication of a General Order, conveying a reprimand to Lieutenant Colonel Munro, for disrespect to his Commander-in-Chief, in not abiding by the regular course of enquiry laid down for similar cases.

As the former act of Government had proclaimed to the army that Lieutenant Colonel Munro was not amenable to military law, on this occasion ; that officer was declared to be superior to the control of the Commander-in-Chief, by the publication of an order, in which Lieutenant General Macdowall is stigmatized with the reproach of having acted in a manner, derogatory to the character of Government ; and subversive to military discipline and the foundations of public authority ; although the order of General Macdowall refers merely to the disrespect, the disobedience of orders, and contempt of military authority, manifested by an officer, who was not only under his general control, as belonging to the army which he commanded ; but who, attached to his immediate staff, owed him particular respect and obedience.

Your memorialists, accustomed to judge of the acts of military men, as referable to the standard of right and wrong, which has been established by the Legislature, for the control of their body ; cannot discover any relation between those orders of Government, and the rules and discipline of subordination. Equally subversive of the foundation of authority is that resolution of Government, by which the Adjutant General, and his deputy, are ignominiously suspended from the service, for

having obeyed the orders of their Commander-in-Chief; which obedience is stated to be a direct violation of the duty of those officers towards the Government.

It must be painful to your Lordship, as it is to your memorialists, to contemplate the possible consequences of a proceeding, equally unprecedented as it is, unaccountable by any other rules but those of blind prejudice, or deluded infatuation.

Your memorialists perceive a Commander-in-Chief, who has long lived among them, who was personally beloved by many, and was known by all to have manifested great forbearance; under circumstances extremely mortifying, from the conduct which the Government observed towards him.

They perceive the character of such a man grossly calumniated, while their regret for his departure was yet fresh. They see two officers of high rank, character, and respectability, publicly degraded; deprived of their particular rank; and suspended from the service; for having obeyed their Commander-in-Chief, in signing and publishing an order, written by himself, for the purpose of vindicating the dignity of his military authority, which had been flagrantly violated by one of his own staff, who

openly defied and disregarded the Supreme Military Commission. They perceive this officer, who had been publicly impeached, under charges of a serious nature, and who had insulted his Commander-in-Chief, shielded from the natural effects of such misconduct, by the interference of Government. Your memorialists cannot avoid declaring, that they perceive, in this inversion of the fundamental laws of discipline, a most dangerous infringement of the military code; that bulwark which preserves a State from the licentiousness of an armed rabble, and protects a disciplined army from the insults of an arbitrary power; a power subject to no control, except the caprice or prejudice of an individual, and your memorialists feel a just alarm, lest the repetition of acts which are not guided by any rule, may tend to wean their affections, and dispose them to consider as enemies, those whose situations should make them their friends.

Your memorialists have learned with indignant regret, that their enemies, and the enemies of their country, have represented as public disaffection, the discontent produced by local and partial injuries arising from the present system; but they confidently appeal to the zeal and ardour with which a large proportion of them are now discharging the most arduous duties in the service

of the State. They appeal to the moderation with which they have stifled those feelings which the recent conduct of the Madras Government was calculated to inspire; and while they declare their inviolable attachment to the Constitution under which they serve, and to the profession, as regulated by its own laws, they cannot suppress the expression of their concern at the manner in which the exclusive rights of the army have recently been violated; and of their sanguine hope and earnest entreaty, that the Supreme Government may, in its wisdom, be induced to appease their just claims, and to anticipate the extreme crisis of their agitation, by releasing them from the control of a ruler, whose measures, guided by the council of their implacable enemies, are equally detrimental to the interest of the State, as they are repulsive to the feelings of a loyal and patriotic army.

January, 1809.

(W.)

GENERAL ORDERS,

Head-Quarters of the Army, Choultry Plain,
1st May, 1809.

The Honorable the Governor in Council
having addressed the subjoined Orders to Major

General Gowdie, commanding the army, to be published to the army; they are accordingly published in Military Orders.

Fort St. George, the 1st of May, 1809.

G. O. By the Honorable the Governor in Council.

The zeal and discipline by which the military establishment of Fort St. George had long been distinguished, induced the Governor in Council to expect that the measures which the violent and intemperate acts of the late Commander-in-Chief had imposed on the Government, would be received by all the officers of the army with the sentiments of respect and obedience prescribed by the principles of military subordination, and due to the Government by which those measures were adopted, as well as to the authorities to which they were ultimately referred. The Governor in Council has however learned with a degree of surprise proportionate to the confidence which he reposed in the discipline of the army, that soon after the departure of the late Commander-in-Chief, proceedings of the most unjustifiable nature, and correspondent to the example which he had afforded, were pursued by certain officers of the army.

The most reprehensible of those proceedings

consisted in the preparation of a paper addressed to the Right Honorable the Governor General, purporting to be a remonstrance in the name of the army against the acts of the Government under which it serves. That paper is not more hostile to the authority of this Government than to the first principles of all Government.

It maintains opinions directly adverse to the constitution of the British service, and is calculated to destroy every foundation of discipline, obedience, and fidelity. The secrecy observed in preparing this seditious paper, prevented for some time the discovery of the persons engaged in that proceeding. But it has now been ascertained that Captain Josiah Marshall, late Secretary to the Military Board, and Lieutenant Colonel George Martin, lately permitted to proceed to England, were principally concerned in preparing and circulating the memorial in question; and that Lieutenant Colonel the Honorable Arthur Sentleger was active in promoting its circulation; employing the influence which he derived from the important command confided to him by the Government, for the purpose of attempting the subversion of its authority; and spreading disaffection among the troops which it had entrusted to his charge.

It has also been ascertained, that Major John

De Morgan has been active in the circulation of the memorial.

The Governor in Council is also under the necessity of noticing another paper of a most dangerous tendency, lately in circulation at some of the military stations, purporting to be an address from the officers of the army to Major Boles, the late Deputy Adjutant General. In this address a right is assumed to decide on the acts of the Government, by condemning, in unqualified terms, the sentence of suspension passed on Major Boles ; and an encouragement is held out to other officers to violate their duty to the Government, by affording a pecuniary indemnification not only to Major Boles, but to all such officers as shall suffer by any act of the Government, which the subscribers to the address may deem exceptionable. This paper, so incompatible with the military character, and so repugnant to the first principles of military discipline and government, was forced on the attention of the Governor by Captain James Grant, Commandant of his Body Guard ; who, while holding that confidential situation, and employed by order of the Governor in Council, under the Resident at Travancore, transmitted a copy of the paper to be laid before the Governor, with an avowal that he had affixed his signature to it, and a defence

of the grounds on which he adopted that proceeding.

It has also been ascertained, that a paper of a similar tendency has been circulated among the officers of the corps of artillery at the Mount; and that its circulation has been promoted by Lieutenant Colonel Robert Bell, the officer commanding that corps.

The Governor in Council regrets that he is obliged to notice also the conduct of Lieutenant Colonel Chalmers, (commanding in Travancore) and Lieutenant Colonel Cuppage, (lately commanding in Malabar, and employed with the troops, under his orders, in Travancore); who appear to have taken no steps whatever, either to repress, or report to the Government, the improper proceedings pursued by part of the troops under their orders. It is not sufficient for officers holding commands, to avoid a participation in such proceedings; it is their positive and indispensable duty to adopt the most decided measures for their suppression, and to report them to their superior authorities.

It has further been ascertained that Captain J. M. Coombs, Assistant Quarter Master General in Mysore, has been concerned in these reprehensible proceedings.

It becomes the painful duty of the Governor in

Council, to mark with the displeasure of the Government, the conduct of the above-mentioned officers; who have been engaged in a course of measures, equally dangerous to the existence of discipline, to the foundations of legal government, and to the interests of their country.

The under-mentioned officers are accordingly declared to be suspended from the service of the Honorable Company, until the pleasure of the Honorable the Court of Directors shall be known.

Lieutenant Colonel the Honorable Arthur Sentleger.

Major John De Morgan,
Captain Josiah Marshall, and
Captain James Grant.

Lieutenant Colonel Commandant Robert Bell, is removed from all military charge and command, until the pleasure of the Honorable the Court of Directors shall be known; but he is permitted to draw his regimental pay and allowances.

Lieutenant Colonel Commandant Chalmers, is removed from the command of the subsidiary force in Travancore.

The under-mentioned officers are removed from their staff appointments, and ordered to join the corps to which they stand attached.

Lieutenant Colonel Cuppage, Adjutant General; and Captain J. M. Coombs.

The Governor in Council considers it to be proper to avail himself of this occasion, to correct a misapprehension highly dangerous in its tendency, which has arisen in the minds of some of the officers of the army, with regard to the nature of the authority of the Governor in Council. This misapprehension appears to have originated in the General Order, published by the late Commander-in-Chief, on the 28th of January last, from which it might be inferred that the authority of the Governor in Council is only of a civil nature, whereas, by the express enactment of the Legislature, the entire Civil and Military Government of the Presidency of Fort St. George, and its dependencies, is vested in the Governor in Council. It is therefore to be distinctly understood, that no officer, of whatever rank, while serving under the Presidency of Fort St. George, can, without incurring the penalties of disobedience to the Legislature of his country, issue any order in violation, or to the derogation, of the authority of the Government; and that every officer, complying with an order of that description; under any pretence whatever, renders himself liable to the forfeiture of the service, and to such legal penalties as the nature of the case may demand.

While the Governor in Council deems it to be

proper to afford the foregoing explanation, he feels himself, at the same time, bound to acknowledge, that the principles to which he has adverted had never been called in question until the publication of the above-mentioned order of the late Commader-in-Chief: on the contrary, these principles had been invariably acted upon by the Government, and by the officers of the army of this Presidency, who have been no less distinguished for their obedience and discipline, than for their achievements in the field.

The Governor in Council also experiences the most sincere satisfaction in publishing his conviction that the majority of the army have resisted all participation in the improper and dangerous proceedings described in this order; and it is an act of justice to the troops of his Majesty's service, to declare his entire approbation of the order, discipline, and steady adherence to duty, which they have invariably manifested. The information before the Government does not enable the Governor in Council to distinguish by the expression of his approbation, all the troops of the Company's service that have manifested the same dispositions: but he deems it to be proper to notice, on this occasion, the satisfactory and exemplary conduct of the part of the army composing the Hyderabad subsidiary force. The

Honorable the Governor in Council is also confident that such officers as have inadvertently yielded to the misrepresentations of individuals who have been engaged in the prosecution of designs equally fatal to the honor and to the interests of the army, will in future manifest in the service of the Government the obedience, fidelity, and zeal, which constitute the first principles of their profession; which have hitherto distinguished the army; and which are indispensable to the prosperity of the British empire in India.

By order of the Honorable the Governor in Council,

(Signed)

A. FALCONAR,

Chief Secretary to Government.

By order of Major General Gōwdie, commanding the army.

*A concise Account of the Events of
the Rebellion at Madras.*

THE Author of the preceding Publication having recently seen different late papers connected with the mutiny in the army of Madras, he has been induced to state, for the information of the reader, a general outline of the circumstances of the rebellion, preparatory to a more detailed account of that event.

In the general order published by the Government of Fort St. George, on the 1st of May, 1809, particular approbation was expressed of the "order, discipline, and steady adherence to duty," which had been manifested by his Majesty's troops. The conduct of the subsidiary force at Hyderabad, in not having signed some of the inflammatory papers which had been circulated in the army, was also mentioned in terms of approbation. This circumstance, however, produced an effect very opposite from that intended, and which might have been reasonably expected. Instead of being gratifying to the feelings of the officers serving with that force, it was resented by them in a way that evinced they were very far from meriting the flat-

tering testimony, and which plainly shewed that the spirit of disloyalty and disobedience had spread wider than the Government then apprehended.

The following letter, subscribed by the officers of the subsidiary force, was addressed and circulated by them to the other officers of the Company's army, for the purpose of resenting the supposed insult which they had received from the Government :

“ Gentlemen,

“ In the late Government orders, dated May
“ the 1st, the conduct of the officers of this force,
“ with respect to the late occurrences, is particu-
“ larly mentioned in terms of approbation.

“ This unexpected compliment may, probably,
“ have impressed our brother officers throughout
“ the army with the idea that we have approved
“ of those acts of Government to which the or-
“ ders refer, and that we are divested of those sen-
“ timents and feelings which have been excited
“ throughout the army.

“ Under these impressions, we feel it a duty in-
“ cumbent on us to declare, that we have perceived,
“ with the most lively emotions of concern, those
“ extreme acts of power and extension of autho-
“ rity by which so many valuable and respectable
“ officers have been displaced from their com-

"mands, and suspended the service; and while
 "we assure you of our resolution to contribute to
 "the support of those officers who have incurred
 "the displeasure of Government for their exertions
 "in a cause which we must pronounce to be just,
 "we shall be ready to contribute in any legal
 "measures of temperance, dignity, and firmness,
 "which may be thought effectual to remove the
 "cause of the present discontent, and to restore
 "our brother officers to the honourable situations
 "from which they have been removed."

In the same spirit as dictated the above letter,
 the officers of the subsidiary force addressed, by a
 direct communication, the following letter to the
 Government, in which distinct intimation is given,
 in a very high tone, of the probability of a separation
 of the military from the civil authority.

"To the Honourable Sir George Barlow, K. B.
 Governor in Council, Fort St. George.

"Honourable Sir,

"The undersigned officers of the Hyderabad
 "subsidiary force, viewing with the most poignant
 "sensations of grief and concern the present un-
 "exampled and alarming crisis, conceive it a duty
 "incumbent upon them, as forming a consider-
 "able and respectable part of the coast army, and

“ consistent with that anxiety they feel for the pub-
 “ lic interest and welfare, to come forward at this
 “ period with a proffer of their sentiments to Go-
 “ vernment.

“ “The late acts of government, and particularly
 “ the order of the 1st of May, have excited such a se-
 “ rious degree of alarm and apprehension through-
 “ out the minds of the officers of the army, that
 “ they fear nothing but some act of conciliation
 “ on your part can tend to lessen or remove it.
 “ This order, Sir, removing from their [situations,
 “ and involving in disgrace, so many valuable and
 “ respectable officers, for their zeal and exertions
 “ in a cause which their acts have rendered sacred
 “ to the army, has excited such great and general
 “ irritation, that we have strong reasons to fear the
 “ most fatal and disastrous consequences. Under
 “ these impressions we feel compelled to make some
 “ efforts to avert the evils we see impending, or
 “ what may be the possible and probable conse-
 “ quences---the separation of the civil and mili-
 “ tary authorities; the destruction of all discipline
 “ and subordination amongst the native troops;
 “ the ultimate loss of so large portion of the British
 “ possessions in India; and the dreadful blow it will
 “ inflict on the mother country---These, Sir, are the
 “ fatal prospects we foresee with the most painful
 “ emotions of grief and concern.

“ “We are anxious, Sir, that Government should
 “ be undeceived as to this irritation and discontent

" being but partially diffused throughout the army.
 " We are well assured, that with the exception of
 " a few individuals holding confidential staff situa-
 " tions, or dependent upon government favor and
 " interest, the whole of the officers of the army pos-
 " sess but one sentiment and opinion relative to
 " the late acts of government ; they are actuated
 " by one common feeling, and consider themselves
 " solemnly pledged to support each other in ob-
 " taining redress.

" Such, Sir, we are confident is the general senti-
 " ment ; and under this conviction we cannot but
 " apprehend the fatal effects that may ensue, by a
 " perseverance on the part of government in using
 " coercive measures. If the irritation and discon-
 " tent, as they conceive, were but partially ex-
 " cited, such steps might tend to effect the desired
 " object ; but in the present case, where all are
 " united in a cause which they consider themselves
 " solemnly bound to support, it can only widen the
 " breach and aggravate the evil.

" We trust, Sir, that Government will justly ap-
 " preciate our motives for coming forward at this
 " period. We are actuated solely by our anxiety
 " for the public good and welfare ; by a serious
 " contemplation of the evils we have so much rea-
 " son to dread, and an ardent desire to avert them.
 " It is by no means our wish or intention to dic-
 " tate to government, or comment upon their acts ;
 " our only object is to exhort them to a serious

“ consideration of the present crisis, and to induce
 “ them to adopt some measures conducive to
 “ public tranquillity.

“ We have no doubt within our own minds, that
 “ this much-desired object would be effected by
 “ rescinding the order of the 1st of May, and
 “ restoring to the service and their situations all
 “ those officers who have been suspended. Such
 “ an act we feel confident would effectually ap-
 “ pease that spirit of alarm and irritation which
 “ now exists, and the officers of the army would
 “ patiently await the decision of their superiors at
 “ home.

“ We have the honor to be,

“ Honorable Sir,

“ Your obedient and very humble Servants.”

[Signed by one hundred and fifty-eight offi-
 cers of the Jaulnah and Hyderabad forces.]

These proceedings at Hyderabad are understood to have been the signal for the appointment of Committees of correspondence at the principal military stations, which proceeded with great activity in organising the means of further resistance, and the measures of the government became again the subject of violent discussion in the army.

The address of the officers at Hyderabad was transmitted to the government in the month of June; and about the same time an open mutiny broke out in the garrison of Masulipatam. The

government of Fort St. George received an urgent application from the naval Commander in Chief for a party of European troops to serve on board of His Majesty's ships as marines. This was a duty on which it had been the practise to detach, when necessary, the men of His Majesty's regiments; but as particular orders had been received from England for discontinuing that practise, it became necessary to employ on the occasion which had occurred, some of the men of the Company's European regiment. At this period every measure that the government could adopt became a source of new clamor. The officers of the regiment affected to believe that the measure which had been ordered was a preparatory step to disbanding the regiment, and to transferring the men to the service of the navy. This belief was impressed on the minds of the men, and the result was a refusal on the part of the officers and men to embark; they seized the garrison, and placed the commanding officer in close arrest*.

While these transactions were passing at Masulipatam, the officers at Hyderabad proceeded also to open resistance. Orders were given by the Commander in Chief for one of the native battalions of that force to march to Poonah; but the execution of the orders was not permitted, on the avowed ground that the officers of the Hydera-

* The information that has been obtained, leaves no doubt that the proceedings at Masulipatam were arranged in close concert with the officers at the other military stations.

bad force considered any attempt to weaken that force to be inconsistent with the resolution which they had formed of insisting on the redress of their alleged grievances.

The following proposals were then laid before the commanding officer of the subsidiary force at Hyderabad, as the ultimatum of the officers of that station.

“ PROPOSALS*.

” Hyderabad, 21st July, 1809.

“ First, The rescindment of the general orders
“ of the 1st of May last, to be acknowledged and
“ published by government, in the same manner as
“ the order itself.

“ Second, The restitution of every officer who
“ has been removed from his situation or suspended
“ the service, to the same, and to his situation.

* The tenor of these proposals recalls to mind the reply of Charles the First to the overbearing demands made by the parliament, previously to the commencement of the civil war; which demands went to the entire annihilation of the royal authority. “ Should I grant those demands,” said the King, in reply, “ I
“ may be waited on bare-headed; I may have my hand kissed;
“ the title of Majesty may be continued to me; and *the King's*
“ *authority, signified by both houses*, may still be the style of your
“ commands; I may have swords and maces carried before me,
“ and please myself with the sight of a crown and sceptre, (though
“ even these twigs would not long flourish, when the stock upon
“ which they grew was dead): but as to true and real power, I
“ should remain but the outside, but the picture, but the sign
“ of a King.”

" Third, The trial of Lieutenant Colonel Innes*
 " by a general Court Martial, for his general con-
 " duct at Masulipatam, while in command of the
 " Madras European regiment.

" Fourth, The removal of those officers on the
 " general staff from their situations, who advised
 " Government to prosecute the measures which
 " have caused the present commotion in the army.

" Fifth, A general amnesty, to indemnify the
 " proceedings of the coast army in the measures
 " they have gradually been led into, and ultimately
 " forced to adopt.

" N. B. Modification of the fourth article as
 " inserted in the original document circulated
 " throughout the other divisions of the army.

" Fourth, It is earnestly requested and recom-
 " mended that the officers on the general staff, who
 " by their conduct have forfeited the confidence of
 " the army, be removed from their station.

" The Hyderabad force can only answer for
 " themselves; but they entertain every favorable
 " hope, and will strenuously recommend to their
 " brother officers of the other divisions to acquiesce
 " in this ultimatum as it now appears.

This state of affairs was certainly in a great de-
 gree alarming. A great portion of the Company's
 army had openly thrown off their allegiance, and
 it was declared that the confederacy was almost

* Colonel Innes was the commanding officer at Masulipatam
 who was placed in close arrest by the mutineers at that station.

general. Officers filling stations of great respectability, and of great weight of personal character, were urgent in their remonstrances as to the necessity of adopting a course of concession, and in particular as to the necessity of acceding to the ultimatum transmitted from Hyderabad, as the only means of averting the most desperate extremities. The conduct of the government of Fort St. George in this emergency can never be sufficiently admired and applauded, having been regulated on the highest principles of dignity, energy, and wisdom. The government firmly resisted all recommendations of a compliant nature, and declared an unalterable determination that no danger or difficulty should induce an assent to any compromise of the public authority. In making this declaration, the government proceeded with calm and determined resolution to prepare for the impending storm.

The loyalty of His Majesty's regiments had been from the earliest stages of the discussions unshaken, and had been in the highest degree exemplary. The government was accordingly, in this crisis of difficulty, enabled to recur with confidence to that powerful resource. His Majesty's regiments under the government at Madras were stationed in such a manner as the eventual employment of their services was likely to require, and application was made for a reinforcement of troops from the other Presidencies. It being in that extremity essential that the government should know on whom of the

officers in the Company's service reliance could be placed, it was decided that the officers should be required to subscribe the following declaration ; or that they should withdraw from their corps :

“ We the undersigned officers of the Honorable
 “ Company's service, do, in the most solemn man-
 “ ner, declare upon our word of honor as British
 “ officers, that we will obey the orders and sup-
 “ port the authority of the Honorable the Gover-
 “ nor in Council of Fort St. George, agreeably to
 “ the tenor of the commissions which we hold from
 “ that government.”

The following extract of a letter circulated on that occasion to the officers commanding divisions, will further explain the motives of this measure.

“ Extract of a circular letter addressed to officers commanding divisions, Dated 26th July 1809,

“ You will no doubt have been induced to adopt
 “ measures of precaution, in consequence of the
 “ spirit of insubordination and sedition which pre-
 “ vails in certain parts of the Company's army.

“ The enclosed copy of a letter delivered by the
 “ officers attached to the Hyderabad subsidiary
 “ force to the officer commanding that force, and
 “ received by the Honorable the Governor in Coun-

" cil on the 24th instant, renders it indispensibly
 " requisite to prescribe a course of proceeding of
 " a more decided nature, as the plans of the dis-
 " affected party threaten either a civil war, or such
 " a blow to the power and constitution of the go-
 " vernment as would produce evils of a far more
 " fatal nature than can result from the most
 " strenuous exertions for the maintenance of its
 " authority.

" Every obligation of public duty, and every
 " consideration of wisdom and policy, urge the ex-
 " pediency of adopting the most vigorous and ef-
 " fectual measures for the purpose of frustrating
 " the execution of those plans, so pregnant, in any
 " event, with disastrous consequences to the interests
 " of our country; and it is a source of the most
 " gratifying reflection that the discipline, zeal, and
 " national attachment of His Majesty's troops may
 " be confidently relied upon at this arduous mo-
 " ment, for the preservation of the empire which
 " their exertions have so much contributed to ob-
 " tain.

" The government are also persuaded that a
 " number of the Company's officers will be im-
 " pressed with a sense of the dangers which the
 " infatuated conduct of a party of disaffected men
 " threaten to themselves and their country, and
 " that they will avoid all part in a course of pro-
 " ceeding of the deepest guilt, and pregnant with
 " the most fatal calamities.

" The undiminished power of the government is
 " in this country so indispensable to its existence,
 " that any course of proceeding calculated to weak-
 " en its authority, or impair its energy, would be
 " productive of the most imminent danger to the
 " preservation of the empire; and every maxim of
 " policy, expediency, and duty imposes upon the
 " Governor in Council, at the present unprecedent-
 " ed crisis, the arduous task of suppressing, by a
 " vigorous employment of the means at his dispo-
 " sal, a spirit of insubordination, sedition, and usur-
 " pation, which if submitted to, would effectually
 " disable the government from executing the or-
 " dinary functions of administration.

" These considerations, the actual state of affairs,
 " and the necessity of averting such serious dan-
 " gers, have rendered it requisite that the govern-
 " ment should ascertain the sentiments and prin-
 " ciples of the officers entrusted with authority
 " under it. The government do not suspect indi-
 " viduals; but when so great a portion of the army
 " has manifested a determined spirit of sedition, it
 " is essentially requisite that the zealous and faith-
 " ful should be distinguished from those who are
 " indisposed to support the authority of govern-
 " ment, and that the latter should be no longer
 " permitted to exercise functions which they are
 " unwilling to employ in the service of their coun-
 " try. I am accordingly directed by the Honor-
 " able the Governor in Council to desire that you

" will assemble all the European officers of the
 " Company's service at -----; explain
 " to them the considerations stated in this dispatch,
 " and obtain from such of them as may be resolved
 " to adhere to their duty, a declaration of the
 " purport expressed in the accompanying paper.
 " You will explain to the officers that such of them
 " as may decline to afford the pledge now required,
 " will be removed from the immediate execution
 " of duty with the troops, and allowed to remain
 " at some particular station (which is left to your
 " discretion to prescribe) on the receipt of their
 " ordinary allowances, until the situation of affairs,
 " and the temper of their minds, admit of their
 " being employed with advantage to the state.
 " Those officers can have no reason whatever to
 " complain of this measure, or consider it a hard-
 " ship; for they cannot expect that the govern-
 " ment will intrust them with an authority which
 " they are not willing to employ in its support.
 " After this proceeding, you will immediately re-
 " move from their function all officers who shall
 " decline to afford the required pledge, and place
 " the Company's troops under such officers as you
 " may consider to be deserving of confidence.
 " You will even place King's officers in command,
 " if all the Company's officers should decline to de-
 " clare in support of the government, and will ex-
 " tend the same arrangements to the artillery.

" In the event of any of the staff officers of your

“ division refusing to subscribe the declaration re-
 “ quired, they will of course be removed from the
 “ exercise of all military function; and you are
 “ hereby empowered to appoint officers of His
 “ Majesty’s, or the Honorable Company’s service,
 “ to those situations, until the pleasure of the Go-
 “ vernor in Council is known.

“ You will be pleased to transmit without delay,
 “ to the adjutant-general, a list of the names of the
 “ officers who shall refuse or omit to sign it, and
 “ you will immediately publish those lists in divi-
 “ sion orders, that the troops may know what of-
 “ ficers they are to obey, and what officers have
 “ been suspended from their functions.

“ After the execution of these measures you will
 “ be pleased to assemble all the native officers, and
 “ explain to them with candour and confidence
 “ the grounds on which they were adopted. You
 “ will inform them that certain European officers in
 “ pursuit of objects entirely personal to themselves,
 “ have formed plans of the most criminal nature,
 “ and are desirous of involving the native troops
 “ in the danger and guilt attending their exe-
 “ cution.

“ You will impress upon the minds of the native
 “ officers that their first duty is to the government,
 “ and that they are to refuse a belief to any sug-
 “ gestions calculated to mislead their minds or ex-
 “ cite discontent. You will inform them that the
 “ government are more anxious to improve than

“ to injure their situations, and will recall to their
 “ recollection the constant solicitude which it has
 “ manifested for their comfort.

“ You will finally acquaint them, that the ut-
 “ most confidence is placed in their discipline and
 “ fidelity ; that the present disturbances will be
 “ soon composed ; but that they must on no ac-
 “ count violate the duty which they owe to the
 “ state.

“ Having made the necessary arrangements for
 “ securing the services of the Company's troops at
 “ -----, you will adopt proper measures for
 “ carrying the same plan into effect with all the
 “ rest of the corps under your command, moving
 “ a force to any point in your division, if you
 “ should find that step necessary to effect the ob-
 “ ject described in this dispatch.

“ Instructions similar to these have been com-
 “ municated to all the officers commanding divi-
 “ sions south of the Kistnah ; and the government
 “ trust that the services of all the Company's troops
 “ in these divisions will be effectually secured,
 “ by the prompt and decided execution of this
 “ order.

“ It is proper not to conceal from you that the
 “ present crisis demands the most strenuous exer-
 “ tions for the preservation of the national interests,
 “ and the measures now communicated to you are
 “ essentially necessary for the purpose of securing
 “ this most important object.

In most of the divisions of the army the orders conveyed in the above letter were carried into immediate and complete effect. The officers of the Company's army being generally bound by a pledge of mutual support, few signed the declaration, and such as refused were required to withdraw, their places being generally supplied by officers from His Majesty's regiments. Perfect loyalty and good conduct prevailed among the native troops, at all those stations where there were the means of making known to them the nature of the recent circumstances*. In some of the divisions the commanding officers, though attached to the public cause, hesitated in the full execution of their orders, from the fear of the threatened consequences, and proposed certain modifications: but the government firmly adhered to the line which it had taken, and would admit of no relaxation. The consequence was, that the orders were ultimately rendered generally effectual, and much the largest part of the native army was placed under the command of officers on whose fidelity entire reliance could be placed.

The example which had been set at Hyderabad extended to Seringapatam. Orders which had been

* Among the many circumstances of striking coincidence attending the mutinies at Bengal and at Madras, it is not the least remarkable that the native troops at both Presidencies refused to support their officers, so soon as the nature of their criminal views was understood.

issued for the movement of a party of troops from that station to Bangalore, were disobeyed. The garrison, after putting the commanding officer, Lieutenant Colonel Davis, in arrest, required him to leave the fort of Seringapatam, proceeded to seize the public treasure, and to make preparations for their defence. These events took place about the end of July; and Colonel Davis hastened to carry into effect the orders of the government for assembling all the disposable troops in Mysore, for the purpose of preserving the tranquillity of the country; in which measures he was zealously aided by the Dewan of Mysore, by whom the entire resources of that state were placed at the disposal of the British government. The garrison of Seringapatam were apparently under the expectation of being ultimately joined by the subsidiary force at Hyderabad, and they called to their immediate assistance two native battalions from Chittledroog, which, after seizing a considerable sum of public treasure at that place, deserted their post, and marched to Seringapatam. It became the duty of the commanding officer in Mysore to prevent the junction of the rebel troops, and every means were repeatedly tried in vain, in the course of their march, to admonish the officer of the two battalions against advancing. All attempts of this kind having failed, and the two battalions having nearly reached Seringapatam, they were attacked by the British troops in conjunction with a party of My-

sore cavalry, and about 200 were killed and wounded. It was ascertained, from various sources of information, that the Sepoys had been deluded by the impression that the Dewan of Mysore had declared war against the British government, and that they were marching to co-operate with the other British troops in subduing his power. The garrison of Seringapatam continued closely besieged by the troops whom Colonel Davis had assembled.

In this difficult situation of affairs the government thought it proper to call into action the services of Colonel Close, an officer of the greatest talents, possessing a mind distinguished by vigor and enterprise, and whose whole life had been devoted to the service of his country. Col. Close was employed as resident at Poonah, a situation not subject to the authority of the government of Fort St. George; but as Col. Close belongs to the military establishment of Madras, he was directed in that emergency to proceed to Hyderabad, and to assume the command of the force at that station, in the view of effecting, if possible, the restoration of order. Colonel Close proceeded with alacrity in the execution of the important duty entrusted to him; and the following extract of a letter affords an excellent account of the proceedings of that officer, on his arrival at Hyderabad.

Extract of a private letter from Hyderabad, dated the 7th August, 1809.

“ Colonel Close arrived here on the morning of the 3d. On the road he had received communications which prepared him for resistance on the part of the army to his assumption of the command of this force, and a few stages from Hyderabad he received a letter from the officers, prohibiting his approach, apprising him of the proposals which they had made to government, recommending him to proceed to the Presidency for the purpose of effecting an accommodation between the government and the army, and directing him to halt at one stage from the capital, where, if he pleased, they would send him a deputation of officers to apprise him of their designs and expectations. Colonel —, however, soon prevailed upon them to abandon so extraordinary and violent a requisition; and though they would not be induced to recall their letter, they consented to the Colonel’s pursuing his journey to the residency; but whatever might have been the demands or conduct of the officers, nothing but the exercise of positive violence could have restrained Colonel Close from joining the force. His orders were decisive, and would admit of no discretion. Colonel Close, therefore, came on to the residency, where he was met by Colonel —, Colonel —, and

“ the officers of the general staff. He communi-
 “ cated his instructions to Colonel ———, and con-
 “ sulted with him on the best means of exe-
 “ cuting the wishes of government. Major——
 “ shortly afterwards came to the residency, for
 “ the purpose of requesting that Colonel Close
 “ would allow a deputation of the officers to wait
 “ upon him, and to inform him that the officers
 “ composing the deputation were on the road to
 “ the residency. Colonel Close told Major——
 “ that he had been appointed by the government
 “ to command the subsidiary force, and that he
 “ must, at all risks, assume that command that
 “ the residency was not a place at which he could
 “ properly confer with the officers under his au-
 “ thority; but that it was his intention to pro-
 “ ceed immediately to camp, and that he had a
 “ communication to make on the part of govern-
 “ ment, which he hoped would be satisfactory to
 “ them. Colonel Close then mounted his horse,
 “ and proceeded towards the cantonment. He
 “ was attended by Colonel ———, Colonel——,
 “ the general staff, a troop of native cavalry, and
 “ a party of Bengal orderlies. I offered my ser-
 “ vices to attend him, because I thought it a pro-
 “ per mark of respect to the person and authority
 “ of the Colonel, and because I thought he ought
 “ to be attended by as numerous a staff as pos-
 “ sible. We trotted on towards the cantonment.
 “ The first resistance which we expected was from

“ the main piquet ; but it turned out, saluted the
 “ Colonel, and permitted us to proceed quietly on.
 “ It was at first, I believe, the Colonel’s intention
 “ to have placed himself at the head of the 33rd
 “ regiment, not for the purpose of using any vio-
 “ lence, but of giving himself more weight in his
 “ address to the sepoys. That plan, however,
 “ was abandoned, as it was thought probable
 “ that the appearance of the Colonel at the head
 “ of the 33rd regiment would precipitate an im-
 “ mediate contest, before either side could ascer-
 “ tain the dispositions or intentions of the other.
 “ Colonel Close resolved, therefore, to go immedi-
 “ ately to the native part of the line ; he went first
 “ to the front of the barracks of the 16th regiment,
 “ which are nearly on the left of the cantonment;
 “ he then desired that all the field officers would
 “ attend him ; but Major ———, and Major ———,
 “ were the only persons who obeyed this summons.
 “ He addressed these two officers in very strong
 “ and very animated language, described to them
 “ the nature of their late proceedings, and tendered
 “ to them the test required by government of their
 “ allegiance and fidelity. He told them, at the same
 “ time, that the government, from a considera-
 “ tion of the difficult situation in which officers
 “ might imagine themselves placed by the pledges
 “ which they had given to each other, permitted
 “ them, if they could not sign the test, to retire
 “ from all military employment, and to remain at

“ some station, which would be appointed for them,
 “ on their full pay and allowances. The reply of
 “ Major —— was very confused. He entreated
 “ time to deliberate on so important a step to his
 “ future life, and enquired whether the test im-
 “ plied general safety. Major —— was more
 “ firm and resolute in his conduct, although he
 “ was evidently very deeply affected. He dis-
 “ tinctly stated that the Hyderabad force would
 “ not abandon their brother officers, nor would
 “ accept of any terms which did not secure a
 “ general amnesty, particularly to the European
 “ regiment*, which they were solemnly pledged to
 “ support. Colonel Close made another appeal
 “ to them : he addressed himself with great energy
 “ and warmth to their feelings, as men, as soldiers,
 “ and as subjects. They appeared very much
 “ agitated, but remained stedfast to their resolution.
 “ During this time we saw the artillery-men man-
 “ ning their guns, and the corps on the right of
 “ of the line falling in with great haste. Colo-
 “ nel Close told Major —— and Major ——
 “ that he was sorry they would not listen to
 “ him, that he had other instructions to execute;
 “ and that he now felt himself at liberty to speak
 “ to every native soldier under his command.
 “ He immediately addressed the party of cavalry
 “ which had attended him : he told them that he

* This refers to the Madras regiment at Masulipatam.

“ was appointed to the command of the force by
 “ Government; that Major ----- and the other
 “ officers were engaged in a dispute with the Go-
 “ vernment, which related to themselves only,
 “ and did not involve any interest of the sepoys;
 “ that that dispute must be referred to future
 “ decision; and that in the mean time he called
 “ upon the native troops to look upon him as their
 “ leader, and to obey no orders but such as were
 “ sanctioned by him. The troopers salamed very
 “ respectfully, and appeared willing to obey the
 “ Colonel. The men of the 16th battalion were
 “ during this time running from its place of arms,
 “ and forming very hastily. Col. Close dashed up
 “ to them; he rushed into the midst of the divi-
 “ sions, and with his breast at the point of their
 “ bayonets addressed the sepoys. He enquired
 “ for what purpose they were taking to their
 “ arms; he told them that he had been appointed to
 “ be their commander by that Government which
 “ was the support of themselves and their fami-
 “ lies; that he was himself an old officer in the
 “ same service with them, who had passed the
 “ greater part of his life with them, who was sin-
 “ cerely devoted to their interests, and who would
 “ willingly listen to their just complaints and
 “ grievances. He urged them to obey him, and
 “ to disregard the orders of those officers who
 “ had placed themselves in open resistance to
 “ their Government, and who were engaged in a

" cause entirely their own. He seized several na-
 " tive officers with his hand, and addressed them
 " particularly, but the confusion and bustle was
 " so great, that I believe little which he said was
 " understood; and I apprehend that even until
 " the whole business was over, the sepoys had no
 " distinct notion of the intentions either of their
 " officers or of Colonel Close. By this time the
 " sepoys had formed into divisions, and Major
 " ----- gave the order for his corps to move up
 " into line. It was at this moment that the influ-
 " ence of the officers prevailed. An officer gave
 " the word for his company to wheel into line.
 " Colonel Close opposed himself to him. The
 " contest was extremely violent: the officer call-
 " ing upon his men to march; the Colonel di-
 " recting them to stand fast. The officer was at
 " length successful. The sepoys after a short pause
 " wheeled into line, and every other company
 " immediately did the same. The corps primed
 " and loaded, faced to the right, and marched to
 " join the park and the rest of the line. On this
 " movement, we narrowly escaped being all of us
 " destroyed. The troops to the right hand dis-
 " covered Colonel Close's object, and on seeing
 " the 16th marching towards them, imagined that
 " he had prevailed over the sepoys, and was lead-
 " ing them on to the attack of the other corps.
 " They were on the point of opening the whole
 " park upon us, when they learned, by mere acci-

“ dent, that the 16th had remained staunch, and
 “ was marching to join them. During the march
 “ the Colonel accompanied the battalion, and
 “ continued to address the sepoys, but still
 “ without effect. The 16th formed close to the
 “ park, on the left. The two corps on the right
 “ of the park made a movement, and formed a
 “ line perpendicular to the park and the 16th re-
 “ giment, apparently with a view of interrupting
 “ any communication with the barracks of the
 “ 33d regiment. The cavalry who were with Co-
 “ lonel Close drew swords, trotted off, and formed
 “ another side of the square on the left, and per-
 “ pendicular to the 16th regiment, to prevent, I
 “ suppose, our going round them, and getting
 “ up to the 33d regiment through the street
 “ of the cantonment. The formation was com-
 “ pleted with the greatest order and regularity,
 “ and I never in my life saw a more beautiful
 “ line. Even after all the corps had formed up,
 “ Colonel Close still continued his exertions, and
 “ seemed resolved to make a last struggle to draw
 “ the sepoys to their duty. It was at this mo-
 “ ment that I distinctly heard an officer ask per-
 “ mission of his commanding-officer to fire upon
 “ us, but it was refused. The artillery-men fell
 “ out in front of their guns, and were actually
 “ marching to seize Colonel Close. The Colonel
 “ then saw that any further effort would be vain.
 “ He addressed himself to Major -----, and told

" him that he had been grossly and shamefully
 " despoiled of his authority ; that he held him, as
 " the senior officer, responsible for the violence
 " which had been committed ; and that he could
 " consider himself in no other light than as pri-
 " soner in the hands of those very officers who
 " had been placed by Government under his or-
 " ders. The field-officers approached him, and
 " addressed him with great respect. They told
 " him that they deprecated any intention of dis-
 " respect to him ; that they entertained the
 " greatest veneration for his high character ; that
 " they lamented most deeply that they had been
 " compelled to oppose themselves to him, but
 " that they had been driven to a choice between
 " the line of conduct which they had adopted,
 " and the abandonment of every thing which was
 " dear to them as men and as soldiers. The Co-
 " lonel replied, by expressing the strongest cen-
 " sure on their conduct ; he said he had been de-
 " spoiled of his authority, but that he hoped that
 " Colonel M----- would consent to retain the
 " command of the force, as if he had never ar-
 " rived. I was within three yards of the Colonel
 " during the whole time, and a more awful or a
 " more anxious scene I never witnessed. Every
 " mind, even those of the very persons who were
 " resisting his authority, seemed filled with ad-
 " miration at the firm, manly, and soldier-like
 " conduct of Colonel Close. When he was about

“ to retire from the parade, the officers entreated,
 “ as a last means of reconciliation, that the Colo-
 “ nel would allow them to wait upon him. He
 “ resisted this application for a long time, but at
 “ length conceded to their urgent solicitations.
 “ They waited upon him, and endeavoured to
 “ present to him an address which they had pre-
 “ pared for him previously to his arrival, but he
 “ refused to receive it. They then urged him to
 “ proceed to the Presidency, but he positively re-
 “ fused to comply with their request, and they
 “ retired. Their respect for the personal good
 “ conduct of Colonel Close soon yielded to their
 “ indignation at the attempt he had made to se-
 “ parate the sepoys from them. They thought
 “ also that he was a dangerous neighbour, and
 “ they therefore required him, in rather a rough
 “ and peremptory letter, to leave Hyderabad.
 “ The Colonel thought, on a consideration of the
 “ instructions that he had received, that it would
 “ be more proper to retire than to submit to per-
 “ sonal restraint; he therefore assured them that
 “ he would go, and left the residency on the
 “ evening of the 4th instant.”

The subsidiary force having resisted the authority
 of Colonel Close in the manner above stated, dis-
 patched a requisition to the force stationed on the
 Mahratta frontier at Jaulnah, to join them without

delay ; a similar requisition was sent to Masulipatam, where the mutiny still continued, and to the other stations in the northern division of the army ; it being the apparent intention to proceed with the united forces into the Carnatic, for the prosecution of further hostilities. There was a general movement of troops throughout the northern division, and the rebellious force seized the public treasure at the different stations, as a prelude to their future operations.

The beneficial effects of the judicious and decisive measure adopted by the government, in demanding a declaration from the Company's officers in the manner above explained, were now felt. To the southward of the river Kistnah, where, by the aid of the commanding force of the King's troops, there had been the means of effecting the measure, the whole, or nearly the whole, of the native corps of the army, with the exception of those in Seringapatam, were in perfect obedience, and were commanded by officers on whose loyalty the government could depend. To the northward of the Kistnah, where no King's troops were stationed, (with the exception of His Majesty's 33d regiment at Hyderabad), all the corps were in a state of open revolt ; and as there had not been the means of undeceiving the men, they continued to support the desperate measures in which the officers were engaged. In this state of affairs the Government did not hesitate to adopt the determination

of opposing force to force; and with this view the most prompt measures were taken for assembling an army of 12,000 men in the ceded districts*, to be commanded by Colonel Close, and which was destined to march to Hyderabad, or in such direction as the public interests might require.

The Government of Fort St. George had, in every part of its proceeding throughout the discussions, tempered measures of vigour with those of conciliation. In pursuance of this principle, it was judged proper to publish the following general orders, as a last endeavour to avert the impending extremity.

“ Fort St. George, August 3, 1809.

“ General Orders by the Honorable the Governor in Council.

“ The Honourable the Governor in Council
 “ judges it proper to announce to the native
 “ troops, that the very improper conduct of some
 “ of the European officers of the Company’s ser-
 “ vice, and the refusal of others to acknowledge
 “ their allegiance to the Government, have ren-
 “ dered it indispensibly necessary to remove, for
 “ a time, a considerable number of European
 “ officers from the exercise of authority.

* The river Kistnah divides the ceded districts from the territories of the Nizam.

“ This measure will not however affect,
 “ in any respect, the situation of the native
 “ troops, who must know that their first duty is
 “ to the Government which they serve, and from
 “ which all authority is derived.

“ The Governor in Council entertains the
 “ same solicitude for the welfare and comfort of
 “ the native troops that has invariably been mani-
 “ fested by the British Government.

“ He has no intention whatever of making
 “ any change in their situation ; and he expects
 “ that the native troops will display, on every
 “ emergency, the unshaken fidelity to Govern-
 “ ment which constitutes the first duty of a
 “ soldier; that they will obey, with zeal, the or-
 “ ders of the officers whom the Government shall
 “ place in authority over them ; that they will
 “ refuse a belief to all reports calculated to agi-
 “ tate their minds, and diminish their confidence
 “ in the Government ; and that they will not
 “ allow themselves to be involved in measures in
 “ any respect adverse to their duty and allegi-
 “ ance.

“ The Governor in Council is pleased to
 “ express his approbation of the good conduct
 “ which has been recently manifested by the
 “ native troops at the Presidency, in the camp
 “ at the Mount, at Trichinopoly, and at Vellore ;
 “ and he is confident that their behaviour will be .

“ equally correct and loyal at all other stations of
 “ the army.”

“ Fort St. George, August 12, 1809.

“ General Orders by the Honorable the Governor
 in Council.

“ The course of proceeding followed, for
 “ some time past, by the officers of the Honor-
 “ able Company’s army at this Presidency, has
 “ obliged the Government to adopt the most de-
 “ cided measures for the preservation of the im-
 “ portant interests committed to its charge. These
 “ proceedings may be stated to have commenced
 “ with the transmission to the Government, by
 “ the late Commander in Chief, of a memorial
 “ addressed to the Honorable the Court of Direc-
 “ tors, dated January 1809, and signed by a large
 “ proportion of the Company’s officers. Although
 “ that paper exhibits claims of an ungrounded
 “ nature, and contains observations equally im-
 “ proper and unjust on the orders of the Honor-
 “ able the Court of Directors and the Government,
 “ the Governor in Council was induced to per-
 “ mit it to pass without the serious notice which
 “ it appeared to demand, by a confidence in the
 “ discipline of the army, and a persuasion that
 “ the objectionable passages in the memorial were
 “ inadvertently and unintentionally introduced.

“ The subsequent conduct of the Commander
 “ in Chief forced Government to vindicate its
 “ authority, by a signal example of punishment.
 “ It was well known to the Company's officers
 “ that the whole of this proceeding was referred
 “ to the Supreme Government, and the authori-
 “ ties in Europe ; that it would receive from their
 “ wisdom a decision conformable to the soundest
 “ principles of reason and justice ; and that its
 “ discussion could not belong to the cognizance
 “ of the army, who are precluded from becoming
 “ a deliberative body. Notwithstanding these con-
 “ siderations, the Governor in Council, anxious to
 “ remove every cause of misunderstanding rela-
 “ tive to a measure of so important a nature, pub-
 “ lished an order, dated the 31st of January, ex-
 “ plaining to the army the grounds on which
 “ it was adopted. The Governor in Council had a
 “ right to expect, on the most obvious grounds of
 “ discipline and respect for the laws, that the
 “ question would have been permitted to rest here,
 “ and receive its final reward from the only
 “ powers competent to decide on it ; and it was
 “ with feelings of equal surprise and concern he
 “ learned that a memorial to the Supreme Go-
 “ vernment, of the most intemperate description,
 “ was circulated in the Company's army.

“ The Governor in Council, desirous to avoid a
 “ recurrence to measures of severity, and per-
 “ suaded that it was sufficient to apprise the Com-

“pany’s officers of the improper nature of the
 “proceedings, to induce them to desist from their
 “prosecution, authorised the Commander in Chief
 “to issue a circular letter, dated the 5th March
 “1809, explaining to those officers the impro-
 “priety of their conduct, and calling upon them,
 “by the most powerful motives of duty, allegi-
 “ance, and honor, to abstain from such unjustifi-
 “able measures. A letter from the Right Hon.
 “the Governor General in Council, dated the 20th
 “of February, 1809, approving of the steps adopt-
 “ed by the Government of Fort St. George, with
 “respect to the late Commander in Chief, was also
 “circulated to the army, in the expectation that
 “the sentiments of the Supreme Government
 “would have suppressed the spirit of faction and
 “insubordination which prevailed. These letters
 “appear to have produced no effect. The me-
 “morial to the Supreme Government made fur-
 “ther progress; and an address to Major Boles,
 “an officer under sentence of suspension, written
 “in language of determined sedition, was circu-
 “lated in the army, and forced upon the notice
 “of the Governor in Council by a Company’s
 “Officer holding a confidential situation on his
 “staff. The Governor in Council was still in-
 “duced to pursue a system of forbearance, by the
 “sentiments of affection and respect which he
 “was disposed to entertain towards the Company’s
 “officers, and by a conviction that the prin-

" ciples of zeal, discipline, and national attach-
 " ment by which he supposed they were actuated,
 " would lead them to relinquish the reprehensible
 " measures in which they were engaged, on being
 " made fully acquainted with their impropriety and
 " danger. The Commander in Chief, according-
 " ly, under the sanction of the Government, is-
 " sued a second circular letter, dated 10th of
 " April, 1809, again calling upon the officers of
 " the Company's army to adhere to their duty,
 " correcting the erroneous opinions which they
 " had received regarding the powers of Govern-
 " ment, and describing the unjustifiable nature
 " and dangerous consequences of their proceed-
 " ings. The Governor in Council learned, with
 " deep regret, that these measures of moderation,
 " these repeated and urgent appeals to the disci-
 " pline, duty, national attachment, and profess-
 " ional honor of the Company's officers, were
 " entirely nugatory; that the memorials con-
 " tinued to be circulated; and that sentiments
 " of sedition were openly declared in many parts
 " of the army. The further forbearance of the Go-
 " vernment would have encouraged the progress of
 " those evils; a course of explanation and ex-
 " hortation had been pursued in vain; and it
 " became imperiously necessary to check, by a
 " salutary example of punishment, a spirit of in-
 " subordination that threatened the most danger-
 " ous consequences to the prosperity of the em-

" pire. The general orders of the 1st of May
 " last were accordingly passed. The Governor
 " in Council is concerned to state that the ex-
 " ample, which was confined to the persons who
 " were principally instrumental in promoting
 " sedition, and of whose delinquency the most
 " ample proofs existed, and which was intended
 " to obviate the necessity of more extensive pu-
 " nishments, failed to produce the beneficial ef-
 " fects anticipated from its adoption; and that
 " principles of insubordination and sedition con-
 " tinued to prevail among the Company's officers,
 " if possible with aggravated violence. The Com-
 " pany's officers of the Hyderabad subsidiary
 " force, whose good conduct in refusing to affix
 " their signatures to the seditious addresses had
 " received the approbation of the government, in-
 " timated to the rest of the army, in an address
 " dated in May last, scarcely less reprehensible
 " than the papers which had incurred the ani-
 " madversion of the government, their participa-
 " tion in the disaffection which prevailed so ex-
 " tensively in the Company's army.

" The officers at Hyderabad followed up this
 " act by threatening, in an address dated the 15th
 " June, transmitted direct to the Governor in
 " Council, to separate themselves from the au-
 " thority of Government established over them by
 " their country, unless a submission should be
 " yielded to their menaces, by abrogating the ge-

" neral orders of the 1st of May; and the Com-
 " pany's officers at Masulipatam imprisoned their
 " commanding officer, and made preparations to
 " desert the post entrusted to their charge, and to
 " join the Hyderabad subsidiary force; thereby in-
 " volving, on account of views personal to them-
 " selves, the men under their command in the
 " guilt of rebellion, and furnishing to the native
 " troops a dangerous example of resistance to au-
 " thority. The Governor in Council, still an-
 " xious to impress on the minds of the Company's
 " officers a sense of the impropriety of their con-
 " duct, published to the army the dispatch from
 " the Supreme Government dated the 21st of May
 " last, which contained an entire approval of the
 " measures of the government of Fort St. George,
 " and stated the most forcible and conclusive ar-
 " guments against the system of faction and ille-
 " gal combination which had been introduced
 " into the coast army. This solemn decision of
 " the supreme authority in India has also proved
 " to be ineffectual. The officers at Hyderabad,
 " although they knew the sentiments of the Su-
 " preme Government, refused in a body, in a
 " letter to their commanding officer, dated the
 " 8th of July, obedience to the orders of Govern-
 " ment for the march of a battalion from Hydera-
 " bad; adding, as a threat, that its services might
 " soon be useful to their cause; and have since
 " forwarded to the government, in a paper dated

“ the 21st of July, the conditions on which they
 “ are willing to return to their duty, and which
 “ they require the government to accept, in or-
 “ der to avert the impending awful evils---evils,
 “ that can result only from their own criminal de-
 “ termination to place themselves in the situation
 “ of enemies to their country. The conditions on
 “ which those officers presume to state that they
 “ will yield obedience to the national authorities
 “ afford further proofs of the nature of their de-
 “ signs, for they demand the public revocation of
 “ the general orders of the 1st of May; the re-
 “ storation to their rank and appointments of all
 “ officers removed by this government, however
 “ obnoxious and criminal the conduct of those
 “ officers may have been; the dismissal from of-
 “ fice of the officers of the general staff who may
 “ be supposed to have advised the government to
 “ the trial by a general court-martial of the of-
 “ ficer commanding at Masulipatam, who was
 “ arrested by his own disobedient officers; and
 “ finally, an amnesty for the conduct of the
 “ Company's army. The garrison of Masulipa-
 “ tam have placed themselves in a state of rebel-
 “ lion; the troops of Seringapatam and Hyder-
 “ abad have followed their example; and it has
 “ been ascertained that the military authority en-
 “ trusted to commanding officers has been usurped
 “ by self-constituted committees; and that an or-
 “ ganised system of combination, for the pur-

“ pose of subverting the authority of the govern-
 “ ment, has been established throughout the
 “ greatest part of the army of this establishment.

“ The Governor in Council perceives in the
 “ foregoing course of proceedings on the part of
 “ the European officers of the Company’s army,
 “ which has equally resisted measures of forbear-
 “ ance and punishment, a determined spirit of re-
 “ volt, that must, unless speedily repressed, pro-
 “ duce the most fatal consequences to the consti-
 “ tution and authority of the government, and the
 “ interests of the nation. No means, compatible
 “ with the honour and authority of the govern-
 “ ment, have been omitted, to recal the Com-
 “ pany’s officers to a sense of their duty as sold-
 “ iers, and of their allegiance as British troops.---
 “ The forbearance displayed by the government
 “ under circumstances of aggravated indignity.
 “ demonstrates the satisfaction with which it
 “ would have regarded any disposition on the part
 “ of the Company’s officers to maintain the usual
 “ obedience required from all soldiers. No dis-
 “ position, however, of that nature has appeared;
 “ on the contrary, those officers, by a systematic
 “ course of aggression and insubordination, have
 “ forced the government to adopt measures of the
 “ most decided nature, for the support of its au-
 “ thority.

“ The Governor in Council would be guilty of a
 “ most criminal desertion of his duty, and the

“ cause of his country, if he were capable of
 “ compromising the evils of sedition and mutiny by
 “ a submission to the menaces of a body of men
 “ placed by the laws under his government.---
 “ Such a course of proceeding would prostrate the
 “ authority of the state before a disaffected and
 “ seditious faction : it would effectually incapa-
 “ citate this and every succeeding government
 “ from executing the functions of administration,
 “ and would be fatal to the prosperity of the em-
 “ pire in India, by affording an example of suc-
 “ cessful opposition to authority, and by weaken-
 “ ing the power and dignity of the government,
 “ which, in this country, are peculiarly essential
 “ to its existence. Influenced by these consider-
 “ ations, the Governor in council has considered
 “ it to be his sacred duty to resist every appear-
 “ ance of concession to the threats of insubordina-
 “ tion and faction, and to employ the power and
 “ means at the disposal of the government, for the
 “ restoration of its discipline, and the mainte-
 “ nance of its honour and authority.

“ In this state of affairs, it is a source of the
 “ most gratifying reflection that the zeal, loyalty,
 “ and discipline of his Majesty's troops, and of
 “ many of the most respectable officers of the
 “ Company's army, combined with the fidelity
 “ generally manifested by the native troops, will
 “ enable the government to accomplish the im-
 “ portant object of re-establishing public order.

“ The good conduct of his Majesty’s troops, du-
 “ ring the dissensions that have occurred, their
 “ zealous adherence to duty, the preference which
 “ they have manifested to the principles of ho-
 “ nour, virtue, and patriotism over the personal
 “ views and disorderly passions which prevailed
 “ around them, reflect the greatest credit on their
 “ character, and demonstrate that they are ani-
 “ mated by the same ardent love of their country
 “ which has distinguished their brother-soldiers in
 “ Europe. His Majesty’s troops under this go-
 “ vernment will possess the gratifying reflection of
 “ having deserved the approbation and gratitude
 “ of their country, and of having eminently con-
 “ tributed to the preservation of an important
 “ branch of the empire.

“ The Governor in Council entertains a hope
 “ that the Company’s officers, who have threat-
 “ ened the government of their country with the
 “ most serious evils---who have demanded, as the
 “ condition of being faithful to their duty, the
 “ execution of measures degrading to the charac-
 “ ter, and fatal to the interests, of the state---will
 “ pause before they attempt to proceed further in
 “ the course of sedition and guilt which they have
 “ pursued. It has been the earnest wish and an-
 “ xious desire of the Governor in council to avoid
 “ measures of extremity, to re-establish order by
 “ the course of the law, and to give up to mili-

" tary trial the authors of the present seditious pro-
 " ceedings. In prosecution of measures so con-
 " sonant to justice, so necessary for restoration of
 " discipline, and so conformable to the ordinary
 " mode of military government, the Governor in
 " council is persuaded that he shall have the con-
 " currence of all persons in the civil and military
 " service who have not banished from their minds
 " every sentiment of national feeling; and he ex-
 " horts the officers of the Company's service, by
 " submitting to that course of measures, to avert
 " the evils which they are precipitating upon
 " themselves. Such a result, gratifying at any
 " period, would, at the present moment of na-
 " tional difficulty, be peculiarly acceptable to the
 " view and feeling of the Governor in council;
 " and adverting to the zeal and patriotism by
 " which the officers of the Company's army have
 " been distinguished, he still encourages a hope,
 " that by manifesting obedience to the govern-
 " ment, they will obviate the adoption of mea-
 " sures of extremity, arrest the certain conse-
 " quences of their past conduct, and promote the
 " restoration of general confidence, order, and
 " discipline."

At this crisis an auspicious change took place
 in the aspect of public affairs. We have seen the

course of proceeding observed by Colonel Close at Hyderabad. Though that spirited and magnanimous officer failed at the time in his endeavours to establish his authority, there is reason to know that his efforts were not without their effect, and that, combined with the other means which were used to undeceive the minds of the native troops, they had consequences of the most salutary nature. Those circumstances, aided by the active operations which the Government was preparing to pursue, apparently opened the eyes of the officers of the subsidiary force, and brought to their sight the precipice on the brink of which they had placed themselves. We shall only add that the desperate schemes in which they had engaged were abandoned. About the middle of August the officers of that force expressed their entire submission to the authority of the Government, and signed the prescribed declaration.

The Hyderabad force had, from its strength and efficiency of equipment, been enabled to take, as will have been observed, a material and decisive lead in every part of the proceedings in which the army of Madras had been concerned. The change in the conduct of that force accordingly operated with instantaneous effect, and the main link of the chain being broken, the whole of the combined plans fell to the ground. The Jaulnah force had already made some marches towards

Hyderabad*; but stopt, and returned to its station, on being apprized of the recent occurrence.

* The following declaration was issued by the infatuated officers of the Jaulnah force on commencing their march :

“ DECLARATION.

“ To all Officers, Civil and Military, both of his Majesty's and
 “ the Honorable Company's Service ; to the Troops, both
 “ European and Native ; and to the Inhabitants of the
 “ Countries under the Government of the Presidency of
 “ Fort St. George.

“ We, the undersigned officers of the force of Jaulnah, being
 “ on the eve of commencing our march, conceive ourselves im-
 “ periously called upon in the present awful situation of affairs,
 “ and previous to entering upon such a measure, thus solmenly
 “ and publicly to avow the causes and motives of this proceed-
 “ ing, in the presence of and invoking the Great God of heaven
 “ and earth to bear witness to the truth of this our declara-
 “ tion.

“ The causes of our taking this step are the intelligence
 “ which we have received of the former occurrences in the
 “ northern division of the army, as well as those more recent
 “ at Hyderabad and Madras ; and of the decided resolution of
 “ the Honorable the Governor in Council of Fort St. George
 “ to proceed to extremities against the officers and troops of
 “ the coast army.

“ It was our original intention to have awaited the expected
 “ arrival of the Right Honorable the Governor General ; but this
 “ determination of the Governor of Fort St. George, to proceed
 “ to extremities, leaves us no alternative, and deprives us of
 “ the advantages which might have been expected to result
 “ from our appeal to the superior authority.

The garrison at Masulipatam submitted to the authority of the Government; and the garrison

“ 1st. Then we most solemnly disavow any intention of interfering with the lawful and executive government of Madras and its dependencies, as well as all personal hostility towards the Honorable the Governor, and others, his supposed advisers, although driven to the most dreadful extremities as we are. This latter we conceive affords proof of moderation unexampled; but we march to prevent the effusion of human blood; to prevent the arraying of one portion of this army in battle against the other; to prevent the dreadful consequences to our country, as well as the officers and troops themselves, which must ensue from this lamentable obstinacy of the Honorable the Governor in Council; and, finally, to avert the incalculable miseries which must result to the wretched inhabitants in general from so unnatural a contest.

“ 2d. We march for the purpose of obtaining from the Honorable the Governor in Council a solemn assurance that he will abstain from pursuing those acts of unnecessary severity which have led to the present situation of public affairs, until the Honorable the Court of Directors shall have adopted such measures as they may deem expedient for investigating and redressing the grievances under which the army now labour.

“ 3d and lastly. We march for the purpose of obtaining from the Honorable the Governor in Council his consent to a general amnesty, and the restoration to the service of all the Officers, both civil and military, who, under the present grievous system, have been suspended until the pleasure of the Court of Directors concerning them can be known.

“ Having thus candidly and solemnly explained their intentions to the army, and the world at large, the undersigned are confident that no description of officers or troops will voluntarily array themselves against them, nor will they re-

of Seringapatam also surrendered at discretion. In every part where mutiny had prevailed, the submission was general and complete.

Such was the state of affairs when Lord Minto reached Madras about the middle of September 1809. His Lordship had the satisfaction to find the power of the Government triumphant, and effectually established ; and the late formidable mutiny wholly subdued.

We shall conclude this concise view of the events of the late rebellion, by observing that during the period of that alarming commotion, the internal state of the country was undisturbed, and that the native inhabitants of the extensive territories under the Government of Fort St. George evinced no sentiment but that of entire attachment to the

“ refrain from indulging the pleasing hope that the Honorable
 “ the Governor in Council, on being made acquainted with
 “ their unalterable sentiments, will see the expediency of complying with their request ; and the more especially do they
 “ hope so, as neither he nor they can be insensible to the
 “ serious inconvenience and injury which may result to the
 “ British interests in the Decan, from their present movement,
 “ and which step nothing but the most imperious necessity
 “ should have induced them to adopt. They have only now to
 “ add, that in the above determination they have most solemnly
 “ sworn to persevere until death ; but that in the execution of
 “ it they will neither use force or offer violence to any but
 “ such as shall voluntarily meet them for the purpose of opposition. So help us God.”

power which protects them. The public revenues continued to be realized without material interruption; and the vigorous control of the Government continued to influence and to direct every part of the public administration.

THE END.

the first of these is the fact that the
second of these is the fact that the
third of these is the fact that the
fourth of these is the fact that the

fifth of these is the fact that the
sixth of these is the fact that the
seventh of these is the fact that the
eighth of these is the fact that the

ninth of these is the fact that the
tenth of these is the fact that the
eleventh of these is the fact that the
twelfth of these is the fact that the

thirteenth of these is the fact that the
fourteenth of these is the fact that the
fifteenth of these is the fact that the
sixteenth of these is the fact that the

seventeenth of these is the fact that the
eighteenth of these is the fact that the
nineteenth of these is the fact that the
twentieth of these is the fact that the

twenty-first of these is the fact that the
twenty-second of these is the fact that the
twenty-third of these is the fact that the
twenty-fourth of these is the fact that the

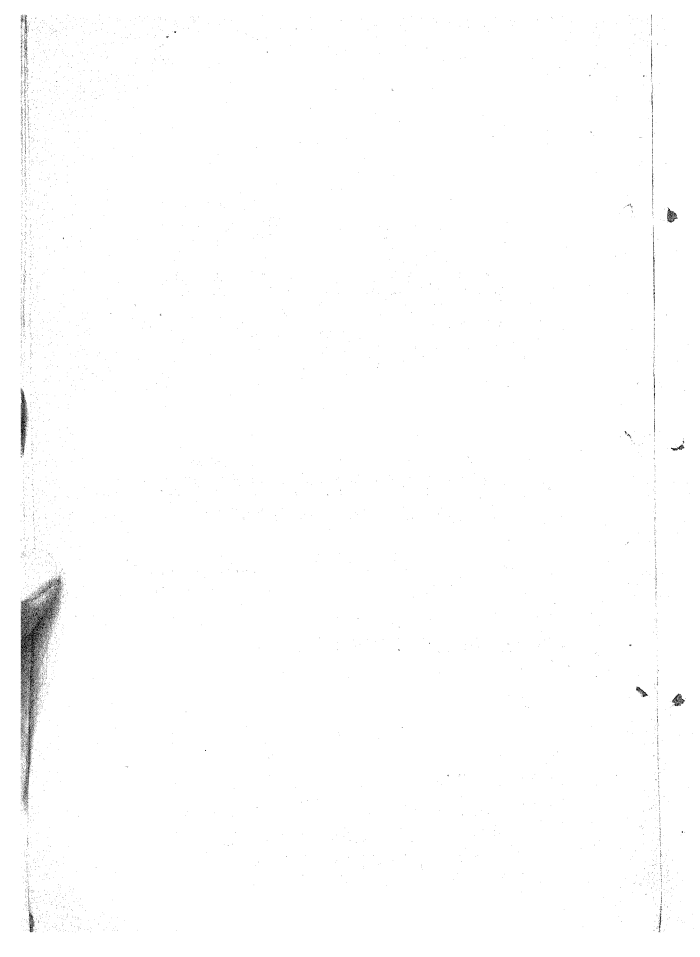
A
LETTER
FROM AN
OFFICER
AT MADRAS,
TO A
FRIEND
FORMERLY IN THAT SERVICE,
NOW IN ENGLAND;
EXHIBITING AN UNBIASSED ACCOUNT, AND SUPPORTED BY
AUTHENTIC DOCUMENTS,
OF THE
RISE, PROGRESS, AND ACTUAL STATE,
OF THE LATE
UNFORTUNATE INSURRECTION
IN THE
INDIAN ARMY.

LONDON:

Printed by Harding and Wright, St. John's-Square,

FOR JOHN MURRAY,
32, FLEET-STREET.

1810.



A LETTER, &c.

MY DEAR G—

I NOW sit down to give you a summary of those strange events, which, from causes unimportant in the view of a careless observer, have led to a state of unexampled confusion in public affairs. This will reach you through the kindness of a friend who has promised to deliver it in safety. I should otherwise hesitate to incur the risk of committing my sentiments to paper, as it is confidently asserted and believed, that no seal, or form of confidence, can insure secrecy, or shield the writer of opinions not entirely favourable to the present measures, from the vengeance of that rigour beyond the law, which now rules over our miserable settlement.

I anticipate all the horror you will feel at learning that the army in which you so long served, and the companions with whom you largely shared in the applause which was eminently due to enthusiastic ardour, loyalty, and

valour, stand now branded, (and justly too) with the name and character of rebels; that those who have ever been forward to shed their best blood in the cause of their country, who boasted, as a proud distinction, the honour of bearing a commission in the *Madras army*, and stood foremost in subordination and willing obedience to the government, have recently entailed indelible disgrace on themselves, and reflected it on the corps, whose honour was entrusted to them, by the guilt of open resistance to the authority which, as soldiers and as subjects, they were bound to obey.

In contemplating events which have led to a result so extraordinary as the actual rebellion of a considerable portion of the Madras army, it is natural to seek for some cause, which has produced a subversion of all those honourable principles which had hitherto distinguished and characterized that branch of the Indian army; for gratuitous rebellion, without an object, or a cause, or an intelligible plan, is an idea which a reflecting mind does not readily admit. Yet this is the state of the case which our government has deemed it wise to publish to the world, and this is the doctrine, which whoever would be thought a dutiful subject is called on to
 ———— profess to believe.

So long as an appeal was open to superior powers, legally constituted to controul the acts of the local government, no extent of grievance, real or imaginary, could justify, or even palliate, a crime so monstrous as rebellion : no acts, however oppressive, could give to a military man an excuse for disobedience or resistance. Those irritated and deluded men, who influenced the army to that unnecessary extremity, have incurred an extent of guilt which demands the extremity of legal punishment ; they have forfeited their lives to the offended laws of that country, in whose defence they would, at the moment of their deepest guilt, have laid them down with pleasure ; and their punishment, which every man who thinks as a soldier ought not only to anticipate but desire, will afford a dreadful warning to those who may, in future, be disposed to suffer private feelings, however cruelly excited, to supersede the obligations of public duty, or to subvert those principles of obedience which every soldier, on embracing the profession, especially binds himself to render to those whom the laws of his country have empowered to direct and regulate his public conduct. Such are the feelings of every reflecting mind ; but he must be either more or less than man, who can separate these feelings from

those of genuine compassion for the fate awaiting many highly meritorious but mistaken men. You will perceive, by the blotted paper before you, that a frigid sense of public duty has not extinguished feelings of another description in mourning over the fate of our old companions in arms. But if, "albeit unused to the melting mood," and with a mind unruffled by any secret self-reproach, such be the tendency of my reflections, what must the feelings be of those whose measures have unnecessarily led to this most horrible result?

I will endeavour to trace the progress of those unhappy events which appear to have led to this distressing conclusion.

At the departure of Sir John Craddock, the officers of the Madras army were certainly in a state of considerable discontent, but neither disloyal nor seditious: their attachment to their country, and to the cause of public authority, was firm and unshaken, but they were disgusted with the effects of an alledged partiality to a favoured branch of the army, with the contempt too flimsily disguised, with which the Commander-in-Chief had always treated that, particularly their own (exaggerated perhaps in repetition): and, by some opinions he had given in a case of military-trial, which, although well merited

by the individual, were offensive to the established opinions of the service at large, and indicated (perhaps the result of a phraseology not always intelligible) an assumption of powers very distinctly denied to him by the laws of his country. It is but justice to the character of that officer, to add, that he preserved to the situation which he held by an arrangement with the Governor, resulting from his decided conduct, that influence and patronage in military appointments, which a most injudicious order from the authorities in England, received in the year 1806, had taken from the Commander-in-Chief and vested in the Governor alone. This measure, however, which was suspended during the command of Sir John Craddock, took full effect on the succession of General Macdowall, while the exclusion of the Commander-in-Chief from council, by an arrangement equally absurd, completed the degradation of his office.

On the succession of General Macdowall to command, the frankness and apparent sincerity of his manner derived popularity from contrast with his predecessor; and he studiously encouraged this sentiment by the conduct which he imprudently, and perhaps improperly, adopted, from the moment he assumed the command

The exclusion from the rank and functions of counsellor, of an officer specially appointed to the command of the army, was an unusual measure, and was calculated to raise his personal resentment in the same degree that it lowered the importance of his station, not only by impairing his influence, and consequently his authority, with the army, but by degrading* his actual estimation in public opinion. To maintain that influence of which he was deprived by this change in the constitution of the army, he courted popularity with the officers at large; he lamented, without reserve, his inability to support their interests in council, or to oppose alterations injurious to their welfare; he commented on the degradation of the army in the person of their Commander-in-Chief; and assuming the character of their *representative*, induced them, without reflecting on the

* A striking instance of this proposition (which in England would not be well understood without an example) occurred immediately after the General's arrival at Madras. His Highness, the Nabob of the Carnatic, sent a complimentary message, desiring to receive a visit from the General, but the next day, (having learned the uncommon restriction on his situation and powers) sent another message, intimating his desire, that the visit might be postponed until the Commander-in-Chief *had taken his seat in council*.

absolute absurdity of the *term*, to consider the alteration which had been made in the constitution of the local government, as a real military grievance.

In truth, the idea of injury to the army in the exclusion of the Commander-in-Chief from council, and from the exercise of military patronage, was not entirely fallacious, although it was crudely formed, improperly presented to their notice, and certainly not in the province of the officers of the army to discuss. The Governor in council possesses, and practically exercises, the right of determining, in the last resort, on all questions of a military nature; appoints officers to command; to the staff, and to all situations of military trust; decides even on claims of military rank; of course, on military applications involving the disbursement of public money; directs all military movements, and enacts, confirms, or changes, (at pleasure) all regulations for the conduct of the military service; the reports and projects of officers of the staff, formed under the orders of their military superiors, and sometimes by the direct command of the government itself, are submitted to the council for adoption or rejection; and these reports often involve considerations of the utmost importance to the army and its of-

ficers. Not one member of the council, as now constituted, is competent, either from professional habits or accidental acquirement, to discuss any military question with intelligence and propriety : and hence acts of serious injustice might obtain the sanction of the government without any intention on the part of any of its members to decide erroneously. The fact is obvious: it was felt by the officers of the army : and when they lamented among themselves that they had not a *representative* in council, they had it just as much in contemplation to organize a Sanhedrim, or crown an emperor of Lilliput, as to urge those claims to elective or other rights, which, with much ingenuity of wire-drawn inference, have been imputed to them by high authority. This unlucky term certainly afforded no proof of logical precision or rhetorical skill : the persons who employed it meant simply to express an obvious fact, which nothing but wilful perversion could misapprehend ; namely, that a person possessing military knowledge, is a necessary member of a council, in which the sole power is vested of deciding the most important military questions, and that, as no such person was a member of that council, they were deprived of the fair and necessary means of having their pretensions un-

derstood by those who are appointed to decide upon them.

The first overt declaration of military dissatisfaction during the present government, was manifested chiefly by his Majesty's troops, and was occasioned by the diminution of allowances, which regiments previously serving on the Bengal establishment had experienced on their transfer to that of Madras (where they found the prices of every necessary of life more than doubled), and others, who, on their passage from England, had landed at Prince of Wales Island, and there received for a time the superior rates of Bengal pay. A memorial was prepared, soliciting to be placed on an equal* footing with the Bengal army in point of allowances. It was signed, as I have understood, by the officers of all the regiments of his Majesty's service on the coast, with only one exception that I have heard of; and, as the supposed grievance was common to his Majesty's and the Company's officers, they united equally in the

* The Court of Directors, in 1796, announced their desire and intention to equalize the allowance of the three presidencies. That body is said (I hope the rumour is unfounded) to have recently pronounced such an expectation to be unreasonable and absurd. The absurdity at least is not particularly obvious.—EDITOR.

prayer of the petition. At the earnest desire of Sir George Barlow, General Macdowal wrote to the officers commanding his Majesty's regiments to discountenance and stop the intended memorial; his influence succeeded in effecting that object, and the signatures of the officers in his Majesty's service were withdrawn.

The next cause of agitation was a proposal originating with the Quarter-Master-General, and which was adopted and officially announced in the general orders of the 3d May, 1808; namely, that the arrangement, by which officers commanding native corps supplied and conveyed the camp-equipage of their respective battalions, was to be abolished. This measure requires a more detailed description, because it led to more important consequences; and as the advisers of government have taken particular pains to misrepresent the incidents to which it gave rise in all the official publications of the government on this subject, it becomes the more necessary to state the facts with accuracy.

The plan of providing and carrying the camp-equipage of the army, by a species of contract with the officers commanding native corps, who received a fixed allowance for supplying the tents, carriage, and followers, and

defraying all incidental expences connected with their efficiency, was first suggested, as you may recollect, in the year 1791, when Lord Cornwallis, retiring with the crippled remains of his army from his first attempt on Seringapatam, called on the officers of the army to exert their individual means to do, what, in that hour of deep distress, he found it impossible to accomplish by the resources of the public. It will probably be also in your recollection, that the expectation of success in this instance, was the result of very recent experience, inasmuch as the bulk of the equipment for the intended siege of Seringapatam had absolutely been conveyed to its destination by the exertions of the individual officers of the army, at a time when Lord Cornwallis, in the plenitude of his power, as governor-general and commander-in-chief, with the assistance of the most able officers at the head of his public departments, had found it impossible to command the means, which were readily brought into existence by the united zeal of the individuals under his command. My Lord Cornwallis knew how to excite and direct that zeal; his call for assistance in the provision and conveyance of camp-equipage was obeyed with alacrity, and, in

some instances, at great expence: the required equipment sprung up as by enchantment, but, at the conclusion of the war, the allowance was struck off, and the services of the officers were left unrequited by the advantage which they had reasonably anticipated from the expected permanency of the measure.

In the year 1799, similar difficulties in the army under General Harris gave rise, as you may remember, to a similar expedient; and the subsidiary force of Hyderabad, under Colonel Dalrymple, was, by the very same means, re-equipped in a few days, and commenced its march from Seringapatam in pursuit of Dhoondia by a similar exertion of the officers. These repeated proofs of the efficacy of this means, and of the constant and miserable inefficiency of the antient system, caused, in 1802, the adoption of a professedly permanent plan for providing on this principle the camp-equipage of the officers and of the native corps of the army; the expected and acknowledged profits of the contract in peace being computed as balancing, if not exceeding, the greater expences attending the period of war, and relieving the public from all expence of quarters, in garrison as well as tents in the field, at a lower rate than had

been paid under Lord Cornwallis's calculations for providing and carrying camp-equipage alone.

On the faith of this plan, adopted as a permanent regulation of the service, the officers commanding corps entered on the contract at the commencement of an active war, and, after incurring, in the course of the Mahratta campaigns in the Dican, unprecedented expences, to produce acknowledged and unexampled efficiency, they looked to the return of peace for reimbursement and remuneration, with that confidence which they were entitled to place in the faith of government, clearly implied, if not distinctly pledged, for the permanence of a plan which had been sanctioned by the approbation of the Court of Directors. That spirit of innovation which distinguished the period from 1805 to 1808, struck at this system, which had been the theme of praise with every officer who had the experience of field-service to guide his judgment. The Quarter-Master-General was instructed to devise a change, and this germ of discord was the result of his cogitations.

The report which was produced, suggested the plan denominated *new*, which was substituted for that of 1802; but its novelty chiefly

consisted in the hypotheses of certain occult energies in the heads of public departments, which former commanders-in-chief had not been able to call into action, and in applying cumbrous and newly invented forms to the principles of the antient and exploded system, which experience had shewn to be practicable only on paper, and on actual service to have been uniformly productive of inefficiency and absolute failure. The provision of carriage was certainly on a more permanent plan, but the radical defect of continuing to load the public departments with minute details, which experience had shewn them incapable to direct with efficiency, was uncured, and by any similar means incurable. With you it is unnecessary to enter into a detailed consideration of the merits of the two systems; but if the authority of great names may influence a question of this nature, there is something more than mere sound in the practical judgment of such a man as Earl Cornwallis, the founder of the calumniated measure; of General Harris, who adopted it from necessity; of General James Stuart, than whose a sounder judgment does not exist on every branch of military arrangement, and who, on the experience of every one of those campaigns, recommended its adoption

as a permanent measure; of sir Arthur Wellesley, who, on the actual experience of its effects, expressly ascribes to the operation of this system his being enabled to perform those movements of unexampled rapidity and efficiency which are the admiration of every military man capable of receiving lessons from experience. I will not draw a parallel between such supporters and the subverters of the system!

The report which the Quarter-Master-General made to Sir John, was in a confidential, but official form: but after the measure which he recommended had been approved by the supreme government, it became publicly known at Madras by communication (as is understood) from Sir George Barlow to the Adjutant-General. The measure of abolishing the contract was offensive to those who, having little else to lose, saw that wrested from them in the advantageous period of peace, which they had been suffered to retain without remark during the difficulties of a protracted warfare. The Quarter-Master-General, in his report, had argued on the baneful effects of this system; not from fact, for all fact was adverse to the inferences which he drew, but from abstract theory and hypothesis: the contract was by him represented as "*placing the interest of officers commanding*

corps at variance with their duty ;” “ making it their interest that their corps should not be in a state fit for field-service ;” “ furnishing strong inducements to neglect their more important duties ;” “ divesting their attention and pursuits from the discipline of their corps ;” and finally, as “ wanting that efficiency which it professed to ensure.” Such was the substance of observations at considerable length, which the Quarter-Master-General, in his report, declared to have been “ suggested by six years’ experience of the practical effect of the contract system ;” an advantage not possessed by those who devised the plan, and by an attentive examination of its operation during that period of time.

This declaration gave a *body* to the insinuation which the officers commanding corps, and who had held the contract, considered as a stigma cast on their conduct and characters, in the execution of a public duty ; and while they disclaimed, perhaps more explicitly than was demanded by the facts of the case, any title to discuss the expediency or *justice* of the alteration adopted by government, on the ground of this report, they individually applied to the Commander-in-Chief to direct such investigation as he should deem to be proper, for as-

certaining their conduct in the execution of this branch of their public duty, in order that delinquency, if proved, might be adequately punished, and that the innocent might be acquitted of the unmerited reflection which they deemed to be conveyed in the report of the Quarter-Master-General.

The Commander-in-Chief, piqued by the slight with which he considered himself to be treated by the government, in their adoption of an essential change in one of the most material equipments of the army without even the decent form of appearing to consult his opinion, refused to comply with their request; and assigned as a reason, in answer to every application, that "as he had not been consulted with regard to the abolition of the tent contract, he did not feel himself at liberty to take cognizance of any matter connected with that subject on *any individual application*."

The officers complaining, foiled by this reply in their attempts to obtain an investigation into their own conduct, thought that they might attain the same end by compelling the Quarter-Master-General to prove the grounds on which he had inserted in his report the insinuations which they deemed to be injurious to their character: and adopting that form of

combined appeal which the reply of the Commander-in-Chief very unadvisedly seemed to prescribe, they jointly accused Lieut. Col. Munro of having falsely aspersed their character in his report. This charge * they forwarded to the Commander-in-Chief, on the 23d of August, 1808, and requested that on it Lieut. Col. Munro might be brought to trial. The Commander-in-Chief after some deliberation consulted Lieut. Col. Leith, the Judge-Advocate-General. That officer in a laboured report confounded the measure of abolishing the contract (the act of government) with the reasons given for recommending the change (the act of the Quarter-Master-General alone), and advised (with a degree of ardour not altogether prudent in an office, where at least the semblance of impartiality was reputed to be a requisite qualification) the rejection of the charge as a ground of procedure against the Quarter-Master-General; urging at the same time, that a charge of *conspiracy* against that officer should be founded upon it, on which he would undertake to convict the complainants, if entrusted with the conduct of the prosecution.

The Judge-Advocate's opinion was commu-

* Appendix, No. 1.

nicated by a letter of the 30th of November, from the Adjutant-General, by order of the Commander-in-Chief, to Colonel the Hon. A. Sentleger, the senior of the complaining officers, with intimation that, "in consequence, all farther proceedings had been for the present postponed." The Judge-Advocate had stated in the progress of reference, that legal grounds did not exist for the trial of the Quarter-Master-General on this charge; and on being requested to explain more particularly the grounds of his opinion, he advised the Commander-in-Chief to consult the Company's Advocate-General on those grounds, of which he, as a lawyer, was the most competent judge: General Macdowall in preference consulted Mr. Marsh, a regular English barrister, who had during Col. Leith's absence in England officiated as judge-advocate-general. His opinion, delivered at considerable length, was at direct variance with that of Lieut. Col. Leith, and pronounced that *just and legal grounds* appeared to exist for bringing the Quarter-Master-General before a military tribunal, upon the charge preferred against him by thirty-two officers commanding corps.

The officers to whom the Commander-in-Chief had transmitted the Judge-Advocate-Ge-

neral's opinion, denied its justice; they perceived the partiality marked in the studied omission to consider the clause of the report which gave the connection of alledged fact to the observations of which they complained, namely, the clause which declared these remarks to be the result of experience and practical observation: and on the 5th and 12th of December, two of their number separately, by letters from Trichinopoly, and from Chittledroog, urged the Commander-in-Chief to proceed in the trial of Lieut. Col. Munro. Shortly after this period, however, the more moderate course was adopted of appeal to the Court of Directors, to whom the complainants stated the case in a perfectly respectful memorial. In this appeal they declared that they suspended the proceedings, which they had commenced, to obtain relief by process of military trial: they besought the Honourable Court to free them from the recorded stigma thrown on their characters by the Quarter-Master-General's report: they recited the offensive paragraphs, and again explicitly disclaimed all pretension to the right of discussing the expediency or propriety of the *measure* of abolishing the tent contract, confining their complaints to the insinuations alone, which were understood to have

produced its adoption.* This memorial was in January 1809 forwarded through the Commander-in-Chief to the government for transmission, and by them it was rejected and returned as *unnecessary*. I do not exactly know the date of this rejection, but Lieut. Col. Munro was placed in arrest on the 20th of January 1809, and warned for trial on the original charge.

This may be the most convenient place to observe, that if, as the Quarter-Master-General insinuated, any deficiency in the equipments of the camp-equipage department, had in point of fact arisen from the neglect or cupidity of commanding officers holding the contract, no record of such deficiency can be traced. It was the duty of the office, at the head of which Lieut. Col. Munro is placed, and in which he had served either as deputy or principal, from the first institution of the system of contract, to examine the returns, and make quarterly reports to the Military Board of the state of the camp-equipage, cattle, and followers attached to each corps, as certified on muster, and monthly inspection: and the *perfect good condition* of all these equipments stands vouched

* Vide Memorial, Appendix, No. 2.

by his own reports, during the whole and every part of the period to which his *practical observation and experience refers*. If, therefore, the report proposing the abolition of that contract was meant to convey the most obvious meaning which the arguments bear (and among other allegations it directly asserts the inefficiency of the system), that report is at variance with the other official reports of the Quarter-Master-General's office. Those reports were *public*, supported by regular musters, and exposed, if erroneous, to instant detection; the other was *private*, standing solely on the personal assertion of the Quarter-Master-General, and regular investigation was denied——both could not be true.

The total absence of any thing in form of proof, in the course of the report, constitutes in itself the most powerful evidence that the insinuations were groundless.

The highest authority in India has recently told us, that *because* the report of the Quarter-Master-General had induced Sir J. Craddock (whose projected innovation it was intended to support), the commander-in-chief in India, the government of Madras, and the supreme government, to approve a plan founded on the basis of assertions individually made by its author,

(which others contended to be "false and infamous insinuations, injurious to their characters as officers and gentlemen,")* the stigmatized officers are guilty of *extreme injustice to the individual, and studied insult to government*, in attempting to disprove the assertion, by requiring a public investigation of its truth or falsehood. With all deference to that high authority, the insinuation to their prejudice, *if false*, was not less *false*, from the fact of its having misled those high authorities to believe and to act upon it; and the respect and deference due to their opinions rendered it only a more imperative duty in the officers who felt themselves to be calumniated by the reasoning of the report, to remove the aspersion by the most public refutation of the alledged slander.

The same high authority has styled the charge against Lieutenant-Colonel Munro, "*a collusive and pretended accusation against him of calumny and slander;*" while "*the tent contract, or rather its abolition, was in effect the subject;*" that the object was "*to withdraw the direction of all military arrangement, regarding the regulation and economy of the ar-*

* Vide Appendix, No. 1.

“ my, from the legal authority of government, in order to place it in the shape of courts martial, under the direction of the officers of the army themselves ;” and the arrest of Lieutenant-Colonel Munro, by order of the Commander-in-Chief, on charges preferred against him by thirty-two officers of rank, is termed *“ the most tyrannical and detestable abuse of power by which an innocent and highly meritorious individual was ever oppressed.”*

These are strong terms, and come from “honourable men,” professing to be engaged in the temperate examination of a question on which it was their duty to pass an impartial and temperate decision. I have, however, seen the letters which were addressed to the Adjutant-General, in reply to his communication of the Judge-Advocate’s opinion, and of the Commander-in-Chief’s intention to postpone proceedings in consequence. The expression of unqualified acquiescence in that determination, and of humble hope that, when prevailing difficulties should be removed, his Excellency would direct an investigation either on the accused or accusing parties, as should appear to him the most proper course to attain the ends of justice, (for such is the tenor of the application,) appears to be a sufficient answer

to this moderate and temperate opinion of a "*collusive and pretended accusation.*"

One of the principals in this *collusive and pretended accusation*, who requests a trial on *himself*, is the same person who, a few days afterwards, in farther proof of the above-cited observations, persuaded those who partook in his feelings, to withdraw their charge, and submit the case respectfully to the Court of Directors for decision !

If the Commander-in-Chief, in the exercise of that power which is expressly vested in him by his Majesty's warrant, bearing the sign-manual, and by authority of an act of the legislature, and which power the same act, when any of his Majesty's forces shall be serving in India, *expressly withdraws from the Company's government*, is guilty of "*a most tyrannical and detestable abuse of power,*" in following the legal course to bring an accused officer to trial, what is the language which shall accurately describe the character of that authority, which assumes the right to impede the course of legal process, and, without a trial, brands with epithets so odious the conduct of an absent officer in the exercise of powers strictly legal ?

The high authority from which these decisions proceed, and the tone of superior wisdom

with which they are promulgated, renders it necessary to examine the question with care. The military code for the government of the East-India Company's forces, is not an annual but a permanent act of the legislature of Great Britain, in the 27th year of the reign of George the 2d, (A.D. 1753). The second clause of the act empowers his Majesty to grant a commission or warrant, under the sign-manual, to the Directors of the East-India Company, who shall have power to authorize the residents and councils, at their principal settlements, to appoint courts-martial, &c. But the third clause (immediately following) is in these words :

“ III. Provided always, and be it further
 “ enacted, that when, and so long as any of
 “ his Majesty's forces shall be employed to act
 “ in defence of any of the said Company's
 “ settlements, or to assist against any of their
 “ enemies in the East Indies, the power of ap-
 “ pointing courts-martial, or authorizing such
 “ appointments as aforesaid, shall be in the
 “ Commander-in-Chief of such his Majes-
 “ ty's forces for the time being over such of
 “ the said Company's officers and soldiers as
 “ shall belong to the principal settlement, where
 “ or from whence such forces shall be em-
 “ ployed.”

The following extracts from the Articles of War under this act, are inserted for the convenience of reference, as applicable to the case of Lieutenant-Colonel Munro's arrest; as the Articles of War may no longer form the chief part of your library.

Sect. 2. Art. 2.

Any officer or soldier who shall behave himself with *contempt or disrespect towards the General*, or other Commander-in-Chief of the forces, or shall speak words tending to his hurt or dishonour, shall be punished according to the nature of his offence by *the judgment of a court-martial*.

Sect. 9.

Of Redressing Wrongs.

If *any commissioned officer*, or inferior officer, or soldier, shall think himself wronged by *his superior or other officer*, he is to complain to the commanding officer of the regiment, troop, or company, *who is hereby required to summon a court-martial for the doing justice to the complainant*.

The letter and the spirit of this article was strictly adopted in the conduct of the officers

commanding corps, on the wrong which they *thought* they had sustained from Lieutenant-Colonel Munro's insinuations to their prejudice; and the Commander-in-Chief strictly obeyed the injunctions of this article; he took measures for *summoning a court-martial for the doing justice to the complainants.*

The arrest of Lieutenant-Colonel Munro, on the 20th January, 1809, is thought to have been accelerated by a conversation between him and the Commander-in-Chief on a subject entirely distinct from that of the charges which took place about this time and irritated the feelings of General Macdowall to a considerable degree. The strange practice had recently prevailed of arranging the movements of troops, and other measures of a military nature, by communication between the Secretary of Government and the Quarter-Master-General, who, in consequence of these communications, transmitted orders to the out-stations, for detachments, formation of field corps, and other important military objects, without any communication whatever with the Commander-in-Chief of the army. Abstract reports of these movements were usually sent on the 1st and 15th of each month, from the office of the Quarter-Master-General to that of the Adju-

tant-General, for the periods immediately preceding these dates, but until this routine brought them through the Adjutant-General to the Commander-in-Chief, he possessed no information on the subject. This extraordinary fact was brought to his notice in consequence of the accidental mention by a young officer at his table, of a movement of which he was entirely ignorant. He directed reports and returns to be examined, and found that above 3400 men of the army he was said to command, were then in motion without any consultation with him on the occasion.

The General, in presence of his aid-de-camp, and of the Adjutant-gen., questioned the Quarter-Master-Gen. with regard to this fact. Lieut.-colonel M. defended the measure, and distinctly stated, that *he*, as a confidential officer of the government, was the channel of their orders for these movements of troops, which, as a point of *courtesy*, might be made known to the Commander-in-Chief, but to the knowledge of which he must be aware that he had no claim of right. The *audacious insolence* (as General Macdowall afterwards named it) of this speech from an officer of his immediate staff, greatly incensed the Commander-in-Chief, and was supposed to have determined the mea-

sure of trial, in which this circumstance might perhaps have formed the substance of a distinct charge. A general* order by the Commander-in-Chief, dated the 17th of January, directing, that all orders for movement that might be received from the Quarter-Master-General's office, should be instantly reported to the Adjutant-general for the information of the Commander-in-Chief, confirms the leading facts of this occurrence, which is of general notoriety, or at least of general belief.

The interference of officers commanding corps ceased with the arrest of Lieutenant-colonel Munro, who was on the 21st, in reply to a letter he had addressed to the Commander-in-Chief, acknowledging his arrest, informed that General Gowdie would in a few days succeed to the command, and assemble a court-martial for his trial, and that if acquitted he would have the opportunity of bringing to trial those, who, by the charges they had preferred, he might consider to have traduced his character.

Colonel Munro applied to the Commander-in-Chief to report his arrest to government, and to transmit a letter he had addressed to the Chief Secretary on the occasion. On the 23d

* Appendix, No. 3.

General Macdowall declined to transmit that letter, informing Colonel M. that in a case "*purely military*" he considered the application of appeal it contained "extraordinary, indelicate, and disrespectful."

The letter which the Commander-in-Chief had declined to forward was enclosed by Colonel M. to the Secretary to government, accompanied by the refusal of the Commander-in-Chief to be the channel of its transmission. In the letter to the Secretary he declared that he would not have made the appeal if he had conceived the case to be purely military.

On the following day the Chief Secretary to government informed the Commander-in-Chief by letter, that Colonel M. had appealed to the government; that the Governor in council had looked in vain in the report for any just ground of complaint against him, and would support *their public officer*: that they adopt *as their own act*, and *approve the opinions* it contains as *confirmed by every competent authority*; that if trial were allowed, they should consider it as involving the discussion and trial of the late Commander-in-Chief's measures, and those of the council; that a previous communication might on such a case have been expected from the Commander-in-Chief; and finally, that they

earnestly recommend the release of Lieutenant-Colonel Munro from arrest.

On the 25th the Commander-in-Chief replied at some length, and for reasons adduced, lamented that *he could not comply with the recommendation the government so earnestly urged*; he informed the Governor that he would direct a charge to be exhibited against Lieut.-Colonel Munro for disrespect to himself, in the appeal he had made on the occasion of the arrest; and quoted in support of his conduct the following opinion of Lord Cornwallis, when governor-general and commander-in-chief, as equally expressing the principles on which he acted on the present occasion :

“ The warrant which I possess from his
 “ Majesty, and the commission I hold from
 “ the E. I. Company, guide me in the import-
 “ ant duties attached to my situation, and
 “ which vest in me certain powers, which I
 “ cannot without danger abandon.”

On the same day (the 25th of January) General Macdowall issued an order*, taking leave of the army, whom he complimented in strong terms, commenting at the same time with considerable imprudence and asperity on the re-

* G. O. 25th January, 1809. Appendix, No. 4.

cent changes in the constitution of the government, which he describes as having deprived him of "*his rights*," a restoration of which could alone have enabled him to exercise "the functions of his station, as the representative of the army, with honour to the service, and credit to himself." *This order was published in the garrison of Fort St. George, under the usual sanction of the Governor, (without which no order can be there published;) and this circumstance is worthy of particular remark in reference to what follows.*

On the 27th of January, the Secretary of government desired to know from General Macdowall, by command of the Governor in council, if they were to understand that he (General M.) declined compliance with the *orders* of the government ; as under the explanation in his (the Secretary's) letter of the 24th, the Governor in council considered it to be equivalent to an order.

Gen. M. in reply, on the same day, says, that referring to his commission, which directs obedience to the orders of the Governor in council, he considers that obedience limited to orders that are *legal* ; and as he deems those which he has received to be *illegal*, he can only obey them *under protest*, if the Governor in council should

persist, after this explanation, in directing his submission to the release of Lieutenant-Colonel Munro from arrest.

The Secretary to government instantly acknowledged the Commander-in-Chief's letter, and conveyed the positive orders of the government for Colonel Munro's release from arrest, which order the Commander-in-Chief obeyed.

A circumstance occurred during the course of these events, which would seem to prove that the want of communication, alluded to in the first letter of the government, had not kept them even in official ignorance of the arrest of Colonel Munro, and that the measure of preventing his trial had not then been in their contemplation; for, on the 21st of January, a letter was addressed to Lieutenant-Colonel Martin, then about to embark for England, informing him, that in consequence of a request from the Judge-Advocate-General the Commander-in-Chief had received the instructions of the Governor in council, to direct him to remain, that he might appear in support of the charges against Colonel Munro, preferred by him and other officers.

On the 28th of January, the Commander-in-Chief embarked for England; but prior to

his embarkation he wrote a general order*, announcing that he had been compelled by the order of the Governor in council to release Lieutenant-Colonel Munro from arrest, a measure which had prevented his intention of bringing him to trial for disrespect to himself, for disobedience of orders, and contempt of military authority, in having referred to the authority of the civil government†, in defiance of the judgment of the officer at the head of the

* Appendix, No. 5.

† The following extract of a letter from Lord Cornwallis is said to have influenced the late Commander-in-Chief's opinions on this occasion :

Extract of a Letter from Earl Cornwallis, then Governor-General and Commander-in-Chief to Madras. (1789.)

The regular authority under which all military orders should be issued is either that of the officer who may be appointed Commander-in-Chief by the Court of Directors, or that of the government itself, if circumstances should render it expedient for the Board to exercise avowedly the functions of that officer.

Before I conclude this letter, I must express my wish that it should be recollected by the *civil* and *military* departments at Madras, that the Adjutant-general of the Company's troops on that establishment, cannot, without the greatest irregularity, (unless, as I before mentioned, the functions of the Commander-in-Chief should be exercised by the Board) have any direct communication with the *civil government*.

army, who had placed him in arrest ; conduct which he considered subversive of military discipline, in violation of the sacred rights of the Commander-in-Chief, and as holding up a dangerous example to the service ; of all which he expresses his strong disapprobation, and for which *he reprimands* Lieutenant-Colonel Munro.

This order, dated on the same day, viz. the 28th, was, by the Commander-in-Chief, delivered to Colonel Capper, the Adjutant-General, with his orders for its immediate publication to the army. Colonel Capper, who desired the General's permission to accompany him on board the ship in which he was to sail, transferred the order in his presence to his deputy, Major Boles, with directions to publish it to the army that evening.

In the usual routine of publishing all orders, a copy of this order was submitted to the Governor, who, by a general order of the 31st of January*, when the ship in which General Macdowall had embarked had sailed, but was still in sight, annulled his appointment of Commander-in-Chief, directed the orders of the 28th to be expunged from every public record,

* Appendix, No. 6.

and suspended from the Company's service Major Boles, the Deputy-Adjutant-General, for having obeyed the orders of the Commander-in-Chief, in signing and giving currency to "a paper of this offensive description."

The Adjutant-General, on returning from the ship in which the Commander-in-Chief had sailed, was informed of this order, and hastened to exculpate his deputy, by waiting on the Governor, to inform him, that Major Boles had acted by his orders. He was denied admittance, but communicated the purpose of his attendance to the staff in waiting; the intimation was acknowledged on the 8th of February, by a general order, which declares he also "is implicated in giving currency to the Commander-in-Chief's orders," and suspended from the Company's service. This manly conduct of Colonel Capper, "*Adsum qui feci; in me convertite ferrum,*" failed of its generous purpose, he was himself punished, but his testimony was deemed insufficient to exculpate his deputy.

On this subject it must ever seem extraordinary to a military man that a difference of opinion could exist, still more that the authority of the government should be committed in support of the principle of giving to military men the privilege of refusing obedience at their own

discretion. It must ever be most hazardous for a military man to incur the risk of disputing the legality of the orders of his superior officer; independently of the very slender shade of distinction between disobedience and mutiny; and the recorded cases, in which officers have been acquitted, who have put to death on the spot, inferior officers, who have hesitated to obey their commands; an officer who presumes to deliberate, ought to be completely satisfied, that the order which he hesitates to obey is so evidently and palpably contrary to some known law of the land, as to leave no doubt that a court-martial would be satisfied with this plea for disobedience. But in the case now under consideration, there could be no illegality except by inference and association, for the power to reprimand an inferior is an undoubted prerogative of every military commander, to be exercised by him on his responsibility; and as the order of the 25th of January (which was certainly much more offensive*

* The two orders are inserted in the Appendix, and the reader will judge. But it is peculiarly worthy of remark, that the copies of the order of the 25th of January, which have hitherto been published in the English newspapers, have been uniformly dated the 28th, thus leaving to different tastes and judgments the selection of that which to each may seem the best ground for the order of the 31st.—EDIT.

than that of the reprimand to Colonel Munro of the 28th) had been published in Fort St. George, with the sanction of the Governor himself; no officer of the staff could suspect that criminality should be imputed to him for circulating the subsequent order of reprimand.

The Governor-General has recently favoured us with a very elaborate and rhetorical disquisition on the military virtue of disobedience of orders, and however much the thinking part of the army differ from his Lordship in the theory of the case, it is my serious conviction that these doctrines have tutored many others in the sophistry of defending the merits of insubordination, and at all events I cannot but observe, that their recent practice has been guided more by his opinions than their own*. They have very liberally exercised their discretionary power in questions of obedience to the government of Madras; who, on the same principle I suppose, are *actually busied at this time* in teaching the native troops the propriety of ascertaining, by mature reflection, the abstract nature of their obligations, before they render obedience to their regimental-officers. God grant that the success of their endeavours may not lead to its

* See Appendix, No. 7.

most direct and obvious tendency—to the ruin of the empire of Great Britain in India.

The treatment of the Commander-in-Chief, and the suspension of the Adjutant-General and Deputy, gave *universal* disgust to the army. The officers of a distinguished regiment in his Majesty's service, were forward in resenting the insult offered to their service in the person of their General, by the most contemptuous behaviour to the Governor. In this, as in every other case of common grievance, they vied with the officers of the Company's service in complimentary attentions to the Adjutant-General and his deputy. Those officers were invited to the regimental mess, their healths were toasted with particular distinction, as *military martyrs*, they were universally considered to have done their duty, and no more than their duty, and to have suffered unmerited punishment.

The arbitrary abuse of authority displayed in this act towards two officers who were highly and generally respected, is the single fact which gave birth to those dangerous combinations, and lighted that violent flame which has since produced such dreadful consequences.

The ferment was too violent in its first ebullition, to escape the notice even of the govern-

ment. On the 6th of February, 1809, they issued an explanatory order, declaring to the army that the supposed insinuations of the Quarter-Master-General's report, which had given offence to officers commanding corps, had never been by them supposed, or by the Quarter-Master-General intended, to convey any insinuation to their prejudice. One singular inconsistency in this order, is worthy of remark, from being the production of the same authority which, six days before, had suspended Lieut.-Colonel Capper, and Major Boles, from the service, for obeying the orders of the Commander-in-Chief, for which they had been rendered responsible. The 2d paragraph of the order of the 6th of February, declares, "*that it would have been*" (in the case of the Quarter-Master-General) "inconsistent with the evident principles of justice, that a public officer should have been liable to the obloquy of a trial for an act not his, but *that of his superior.*" We must suppose that the TRIAL is alone obnoxious to justice; *punishment without trial, for the act of a superior,* would seem to be liable to *no obloquy* in this new code. How valiant and how mean is despotism! This explanation, worthy *at the proper period,* of a great, a magnanimous, and a liberal go-

vernment, would, a month sooner, have completely appeased the agitation which the report had produced ; now, it was worse than useless. The individual grievances of the small number of officers commanding corps had sunk to insignificance, in the comparative magnitude of the injury which every officer, whether of the King's or Company's service, felt to have been offered to the military character, in the wanton, unjust, and unnecessary suspension, without trial, of two officers of distinguished station and character, *for obeying the orders of the Commander-in-Chief*, and the feeling was aggravated at this moment by the arbitrary removal from office of several officers, highly and justly respected for public character and talent, who were hurried off from Madras without any cause being assigned for these portentous measures.

To justify these proceedings to the higher authorities in England, Mr. B. the Chief-Secretary to government, and Private-Secretary to Sir George Barlow, was dispatched express, *on public duty*, while the permission to proceed to England, solicited by Major Boles, was twice refused, although actually suspended from rank, and left with his family destitute of the means of subsistence. No other opportunity was likely

to occur for some months, yet, no sooner had the Lushington, on which Major Boles had agreed for his passage, sailed with this express, than he obtained free permission to embark, whenever he could find an opportunity to do so !

Sir G. Barlow himself, a stranger to the characters and persons of those he had been appointed to govern, of personal habits adverse to the degree and sort of communication which could alone ensure correct knowledge on these subjects, and with local experience only of a settlement every way differing in circumstances from that in which he now presided, was supposed to have selected, with peculiar unhappiness, two men as military advisers, who were perhaps the least qualified of any that could possibly have been chosen to remedy the defects which I have noticed. Lieut.-Colonel Leith, the Judge-Advocate-General, had long been removed from the exercise of military duties, and devoted to the contemplation of legal difficulties ; this, with his habits of retirement, and reserved manners, had long estranged him from military society. Lieut.-Colonel Munro, with talents of considerable promise, had, by the favour of two preceding Commanders-in-Chief, been prematurely raised to a station far above his claims

from rank or service. In the attainment of this object, he had, with humility of manners ("for lowliness is young ambition's ladder") devoted himself to the interest of his patrons with much apparent zeal, and, in their various contests with the Governors of their time, had maintained the "indefeasible rights" of the Commander-in-Chief, and his exclusive title to the patronage, controul, and arrangement, of every branch of the military department, with a degree of ardour which had attracted considerable notice. On Gen. Macdowall's accession to the command, with very limited powers to advance the interests of his friends, *the paramount authority of the Governor* was said to have become the theme of the Quarter-Master-General's individual and official eulogium; and he was now described as standing forward, doubtlessly in the humble conviction of the errors of his former judgment, to deny that the Commander-in-Chief of an army could even claim, *of right*, to be acquainted with its movements; the officers of the army, whether correctly or otherwise, did not seem to impute the change to moral conviction: the most intimate of his former associates were the first to estrange themselves, whether from this or other causes. I cannot correctly state but it has been remarked

that these very officers have been most prominently distinguished by the rigours of this reign of terror.

To both these persons the late Commander-in-Chief had given ground of offence, by countenancing the charges preferred against the one in opposition to the opinion and official advice of the other; and these circumstances were stated to have indisposed them to such as might be considered to have shared in the offence, or to have enjoyed the friendship or favour of the General. When therefore, although the release of Lieut.-Colonel Munro from arrest rendered the evidence of Lieut.-Colonel Martin no longer necessary for the purpose of his trial, that officer was officially informed, on the eve of the departure of the ships, that his leave to proceed to England was recalled; a general belief prevailed that this unnecessary detention was the prelude to farther misfortune. Lieut.-Colonel Leith, on the 29th of January, waited on Lieut.-Colonel Martin, intimated the intention of the government to punish all who had concurred in the charges against Colonel Munro, and then urged him, with great earnestness, to express *sorrow* for having signed the charges, as a species of half apology; in which case, he intimated that he might yet be permitted to sail

that evening, in the ship in which he had paid for his passage : he declined to express what he did not feel, and his detention was enforced. On the 2d of February, a member of the council, whose spontaneous profession, that he acted without authority, excited an opposite belief, urged Major Boles, by arguments of a similar nature, to avert the ruin which the government, by their representations to England, would entail on him and his family, (by apology and acknowledgment of error in his obedience to the Commander-in-Chief); in which case, he should be restored to his rank and office. Major Boles dreaded dishonour more than the feared oppression ; and this attempt also failed of success.

Whether these overtures were the result of a secret consciousness of injustice, and of fears for the result, which induced its authors to attempt to bribe the injured parties to an implied admission of their guilt, for the purpose of giving a colour of justification to their own proceedings, it is impossible to pronounce : whatever was the motive, the end was not obtained ; and the attempt, which soon became publicly known, added to the general indignation which already prevailed.

On the 8th of February, an order of the

Governor removed Captain Marshall, the Secretary of the military-board, from that office, to be Paymaster at Vizagapatam, and he was commanded to quit the Presidency without delay*. Mr. Roebuck, the Military Paymaster-General, was at the same time sent with as little ceremony to the same place, as Commercial-President, and Mr. Maitland, a gentleman not in the Company's service, was removed from the situation he had held, as a Justice of the Peace. The appointment of the two former to offices of trust was a direct admission that no imputation against their public administration of the offices they had filled was the cause of their removal; but the manner, as well as the fact, of their removal from offices of much superior emolument and distinction, marked the proceeding as a measure of punishment, while the total silence of the order, with regard to the motives of the measure, seemed to shew, that the reasons, whatever they might be, were not fit to be avowed.

The deficiencies of public avowal were supplied by general conjecture. It was remarked

* His application for a few days leave to adjust his accounts, as Secretary to the military fund, was rejected, and his immediate departure ordered.

by those who seemed to have access to authentic information, that Captain Marshall, whose duties, as Secretary to the Military-Board, rendered him the organ of that board, in the enforcement of the standing regulations of the service, relative to the controul of expenditure in the departments of provisions and military stores, and field-equipments, had remonstrated against certain alledged assumption of authority by the Quarter-Master-General, as contrary to those regulations, and had animadverted on the public inconvenience of innovations which that officer was stated to be daily attempting to introduce, with the apparent view of removing, by degrees, the authority of the Military-Board, to increase the influence of that department over which he presided. It was also remarked, that Mr. Roebuck, and Mr. Maitland, had, in a recent cause, in which their private fortunes were at stake, prosecuted to conviction in the Supreme Court, for perjury and forgery, two persons, whose cause the advisers of government had induced them to support and defend at the public cost, and it was notorious that this act of the government entailed on those two gentlemen irretrievable ruin.

The interference of the executive power in the administration of public justice, is an omen

of monstrous import in any country, and I can be at no loss to conjecture the feelings with which Englishmen will learn that even some of the jurymen who pronounced an unpalatable verdict were visited with proscription. I am not so intimately acquainted with the civil arrangements of this period as to give them in detail; the removals were numerous and extraordinary, and comprised a large portion of the talent and respectability of that branch of the service, including the Accountant-General, who will probably have arrived in England long before this letter, and is perfectly qualified to render a clear account of any thing he may undertake to explain. Colonel St. Leger too (who had first signed the charges against Colonel Munro) had, even before Gen. Macdowall's departure, in the arrangements formed by the Quarter-Master-General for composing the force for the service in Travancore, been directed to remain in cantonment with one troop and the sick of his regiment (the 6th cavalry), while the remainder of his regiment, and all the disposable force of the division, was ordered to march for actual service, under an officer junior to Colonel St. Leger. The indignant feelings of this officer induced him to dispatch to the Commander-in-Chief an immediate remon-

strance against this public injury, and to demand a court-martial to vindicate his character : the measure became known, while the application was in course of transmission, the arrangement was corrected, and the *intended insult* was not allowed to take its ultimate effect. It would scarcely be credited, were not the fact indisputable, that this remonstrance gave the first intimation to the Commander-in-Chief, public or private, that a force was assembling for field-service in Travancore !

Although many of these and subsequent circumstances were trivial in themselves, the whole had considerable influence in actuating the officers of the army to a combined expression of their sentiments ; and when Major-General Gowdie, who had succeeded by seniority, to the command of the army, arrived at Madras, he found the military officers of his Majesty's and the Company's army united in resentment against the Governor and his supposed confidential advisers, and the civil servants of the Company, governed by similar feelings, for injuries sustained, by themselves.

To great personal bravery, an overflowing zeal, and that extent of experience, which a man of small capacity for observation or reflection can gain from many years of service'

General Gowdie added the quality of inflexible adherence to opinions once formed, and the reputation of good-nature. His staff, selected chiefly from his kinsmen, were young men not yet qualified to assist him. The suggestion of others, or his own sense of the absolute necessity of some man of experience in military details, to conduct the duties of the Adjutant-General's office, led him to renew the overtures to Major Boles; the General's influence with government was promised to effect his restoration to the service and to office, (although again it was asserted that the overture was unauthorized,) if the Major would acknowledge error, and express contrition; his known want of all pecuniary resources, except those which he derived from service, was strongly urged; but he again declined to sign his own condemnation and dishonour, in a case where he was conscious of nothing but innocence, and the strict performance of his public duty.

The officers of the royal regiment of foot had, after entertaining at their mess the suspended officers of the staff, marked their sense of the insult offered to their service in the person of their late Commander-in-Chief, by refusing to accept invitations to dinner from the Governor, whose Secretary was said to have been

in vain employed to induce a change in their determination. The Commander of the forces undertook the office of mediator, and, after assuring them that he considered it to be *their duty* to meet him at the Governor's table, and would view their refusal as a want of respect to himself, did succeed in obtaining the performance of this singular duty.

With a battalion of the 18th regiment of Se-poys, then in garrison, whose officers had also declined to accept Sir G. Barlow's invitations, the General was less successful; and this corps, which had only a few days before marched into Madras, was again marched, at a great and apparently unnecessary expence to the public, a distance of 500 miles, to occupy a post represented as likely to become the grave of any corps that might be stationed there!

On the 25th of March, a battalion of the 11th regiment was also ordered from Madras, as the Commander of the forces is stated to have informed Major Lindsay, who commanded it, "because Major Boles had been invited to their mess;" and on the 27th, although the example of the royals and artillery was pleaded, the order was enforced.

At the same period, Major Sutherland Mac-

dowall, the Deputy Adjutant-General was removed from office; surprized at the measure, he respectfully applied to the government to know the cause, but in vain. His application to the Commander of the forces, for similar information, produced a reply unique in its kind: Gen. Gowdie acknowledged the merit and value of his services, and expressed his regret that "*existing circumstances, of which he was not competent to judge,*" had deprived him of the "services of a man of such sterling ability, and for whom he had the strongest personal esteem and regard."

Lieut. Stock, assistant in the office of the Military-Board, whose public and private conduct had conciliated the respect and esteem of all who knew him, was, on the 24th of March, removed, without any reason assigned, to a situation of inferior credit, at Vellore. Conjecture in this, as in many other cases, supplied the want of better information; and it was remarked, that Lieut. Stock had, for some time, declined all personal intercourse with the Quarter-Master-General.

Even the students at the Military-institution had their share of the general proscription! These boys had sent one of their number to Coventry, for entering the mansion of the Go-

vernor. This was one of the branches of public establishment, which had been drawn within the vortex of the Quarter-Master-General's controul. An order from the government appeared for dispersing the class, professedly founded on a report from Gen. Gowdie, which he declares he had never made or seen.

Even the nomination of an aid-de-camp by Gen. G. was objected to, because the officer named, a young man of excellent character, but whom General Macdowall had patronized, was *said* to have signed a memorial to the Court of Directors, of which Gen. Macdowall was *said* to have taken charge. *The allegation was not true*, but the Commander of the forces was compelled to give up his choice of an officer for his own staff, and (as he declared in a letter to Lieut. Scott, the officer he had promised to appoint,) a friend of the Governor's Military-Secretary, to whose person he was a stranger, was placed in his family as his personal staff.

The influence of a Commander, thus dignified, could not be expected to produce much good. Memorials, various in violence and absurdity, as the tempers of those who composed them, were drafted and tendered for adoption at the different stations of the army ; most of these

effusions were abortive, and among them that most distinguished in absurdity, a surreptitious copy of which, obtained by this government, furnished to that of Bengal the text for their dissertation of the 27th of May. An address to Major Boles, (Lieut.-Colonel Capper having previously embarked for Europe) was more successful, and obtained the signature of almost every officer of the Company's army, and of some of his Majesty's regiments. In this address, to the expression of approbation of his conduct was added an intimation, that an arrangement had been made for securing, for his support, a sum equal to the allowances of which he had been deprived by suspension; and a pledge was given, that similar support would be provided for every officer who might, in future, be removed by the government, on grounds of similar injustice.

The principles of this address are so obviously unsound, in the judgment of every dispassionate enquirer, that it is hardly conceivable how any set of men could deliberately have allowed themselves to sign and act upon it. You and I, however, who have witnessed the eagerness with which our countrymen in India join in any plan which has for its apparent object the relief of merit in distress, can estimate the

strong effect of such a feeling, when applied to the case of Major Boles, whose want of fortune was as notorious as the punishment which had been undeservedly inflicted on him. The address, in itself, was imprudent and improper, even without the clause, which gave a pledge for future error; but a generous, though erroneous, feeling overcame the colder sentiment of respect and duty to the government, shaken as that sentiment had been by the numerous causes, of which I have selected but a few. An ebullition of equally imprudent but most honourable feeling in the Captain of the Governor's body-guard, who was then serving with the forces in Travancore, brought the paper in question to the notice of Sir G. Barlow. This officer had signed the address to Major Boles; and having done so, deemed his continuing to hold the command of the Governor's guards incompatible with this avowed dissent from the justice of the late proceeding. He publicly and formally, in an official letter, requested leave to resign his command; and, at the same time, viz. the 19th of March, from that abhorrence of duplicity, which is the characteristic of his noble mind, and from a sense of delicacy to the individual, he stated, in a confidential form of communication, to his own particular

friend, then military-secretary to the Governor, for Sir George Barlow's personal information, the measure in which he had joined, and the feeling which had produced his resignation. The Governor, whose feelings never embarrassed his determinations, placed this private and confidential communication on public record, and when the designs over which he then brooded were ripe for execution, made it on the 1st of May, the instrument of ruin to one of the bravest, noblest, best, most honourable, zealous, and loyal officers, in that or any other service—
Captain James Grant.

The discontent of the army had hitherto been represented, and believed by the Governor, to be confined to the friends of Gen. Macdowall, or to those of the number who had been displaced from offices of trust and honour. When the receipt of this address, and intelligence of the numerous signatures to that document, of individuals of the first character, both in his Majesty's and the Hon. Company's service, had shewn to the Governor what nothing but wilful blindness could prevent his perceiving, that the discontent, reputed to be partial and unimportant, was only limited in extent by the limits of his government; and that, although he had filled the vacant offices with men devoted to the

interests of his advisers, the measure had tended only to increase the general disgust at his rule. Wisdom or common prudence would have dictated a revision of the measures which had produced such effects: and I am convinced that at this period of the scene which I have endeavoured to describe, the restoration of Colonel Capper and Major Boles to office, or even their restoration *to the service*, by the removal of the sentence of suspension, would have restored order by an act of justice, as the result of appeals to England on the removals of other individuals from the presidency, would have been confidently expected to correct the errors of the local government.

Measures of conciliation were not however to the taste of this government or its advisers. Lord Minto's letter of the 20th of February, 1809, approving of their conduct had been received: extracts from it were circulated to the stations of the army, and they pursued the arbitrary system of terror with increased vigour from their confidence in the strength of his support.

The Commander of the Forces on the 10th of April, was instructed to combat, by a circular letter, the address to Major Boles, which was supposed to be then in circulation. In this

production, he attempted to prevent any contribution for the support of this officer, by stating that in his, the general, opinion, Major Boles had forfeited all claims to the sympathy of the Army, by rejecting, the overtures which the General (*but without authority*) had made, and on the acceptance of which he would have *made it his business* to get him reinstated in rank and official situation. The only effect produced by this humane production was to confirm the determination of the officers to whom it was communicated, in supporting Major Boles, whose conduct they approved.

The mass of the army treated this letter with ridicule, contrasting the importance therein assumed by General G., when he spoke of *making it his business* to obtain the reversal of an important act of the government, on conditions *wholly unauthorized by them*, with his recent confession to Lieut. Scott, that he had not influence even to obtain the appointment of his own aid-de-camp, for the officer to whom he had promised that situation in his family.

It is evident from many of the facts which I have stated, that a system of espionage had for some time been organized, and the conviction at least was general that a band of informers sur-

rounded every class of society at the Presidency : from them the *Fouche* of the day collected hints which were promptly improved, and perfected by an adoption of the same hateful means which distinguished the measures of a similar system in Europe. The seizure of the papers* of individuals, and the arrest of their confidential writers, † for examination on oath, as to the papers they might have copied, were among the energetic measures of the day. On the 11th of April, Capt. Barlow, by command of the Governor, conveyed from the office of the Military Board two official writers, and a third young man, who had been in the private employ of Captain Marshall, to the council-chamber, where, in presence of Sir G. Barlow, Mr. Falconar, Lieut. Col. Leith, and Captain Barlow, the Company's Advocate examined them on oath, as to the subject of papers they might have copied for Captain Marshall, or

* The first attempt of this kind was an exertion of extra-official and unauthorized energy on the part of a member of the Board of Trade, who had in 1807 taken on himself to seize the papers of a gentleman in the civil service. This was one of the first acts to which sir George Barlow on his arrival at Madras had extended the sanction of his *ex post facto* approbation, and which has since, according to general belief, been deemed worthy of respectful imitation.

† Clerks.

others (a point which few writers in India are competent to state ;) as to the company he kept; the conversation he was *seen* to hold; and other particulars of a similar nature. Such is the account given by these men of their examination, immediately after it occurred, and when still in a state of agitation, which rendered their narrative as indistinct as their evidence had probably been. Lieut. Col. Barclay, the town-major, at the same time seized in the Black-town, a private writer, from the counting-house of a private gentleman, holding no office under the government, for similar interrogatory, Mr. James Balfour his master having been a friend of Gen. Macdowall.

In addition to these public measures of coercion, the commander of the forces was on the same day directed by the government to supersede, in the command of corps, four officers named to him, as suspected of being indisposed towards the government (*souppçonné d'être suspecte*), and not content with this unreasonable power themselves, they delegated to Gen. G., whose powers of appreciating merit are sufficiently notorious, the authority to exercise a similar act of coercion whenever his private information might lead him to think it proper.

When by such means a sufficiency had been

obtained of what was dignified with the name of *evidence*, the public operation of a system of general terror commenced by the promulgation of the general order of the 1st of May, 1809.*

This order was founded on *private examinations* of native writers, probably incapable of comprehending or reciting the tenor of the papers they had copied, if even divested of the influence of the agitation which I have described; on *private informations* from persons whose names and credibility, as well as the facts they professed to state, are said to have been concealed by the Governor, even from his council; and on the private and confidential communication, honestly, but most imprudently made by Captain Grant to sir George Barlow, in explanation of the grounds of his personal conduct. By this order, four officers of rank and character were *suspended from the Company's service* in the most disgraceful manner; the commandant of artillery was *removed from all military charge and command*; three other officers, two of whom were of rank, were *deprived of command and appointments on the staff of the army*; and the stigma was sent in

* Appendix, No. 8.

pursuit of another who had sailed for Europe. In the number of these proscriptions were two officers whose gallantry and distinguished good conduct on active service had but two short months before been honoured with the public and recorded thanks of the government; Lieut. Col. Chalmers and Sentleger: and the guilt of the whole was confidently asserted to be *ascertained*. The measures of rigour thus announced were accompanied by a direct effort to excite dissension and jealousy between the King's and Company's troops, praising the former for a forbearance which hitherto they had not shewn, and the division of the army serving at Hyderabad received an unlooked-for compliment addressed to them with a like design.

A burst of universal indignation followed the promulgation of this order. If men of this high class, it was observed, were objects of suspicion, public accusation ought to be supported to public proof. The fixed principles of the British constitution and the more rigid letter of martial law entitled them to public trial before they should suffer public degradation and punishment. No man's character, no man's situation in life, could be for a moment safe, if anonymous accusation were considered as con-

stituting proof; if reputation could be whispered away by wretches whom no epithet of contempt can adequately describe, and if the name of an officer branded with infamy by the *fiat* of the Governor of Madras was to be held forth in public proclamations to the army and the world, as a man divested of the honourable principles which constituted his sole earthly possession; of all claim to public commiseration, or to the last refuge of the unhappy—the sympathy of an afflicted family of which he was thus declared to be unworthy!

In the case of Col. Robert Bell, the commandant of artillery, the cause of his removal had been distinctly stated to be “*for having promoted the circulation of a seditious paper among the officers of the corps of artillery at the Mount;*” a fact asserted in the order, like every other allegation it contained, to have been *ascertained*; the proof resting on the credibility of an unknown accuser. The officers of the artillery at the Mount, with one exception only, instantly, solemnly, and publicly, in a most respectful and proper letter addressed to Col. Bell, declared that he had never, directly or indirectly, done what was imputed to him;* but on the contrary, that he had uniform-

* See Appendix, No. 9.

ly discouraged the discussion of any of those questions which agitated the public mind. Their solemn assertions as officers and men of honour were disregarded: Col. Bell remained deprived of military command; and no particular delicacy of sentiment can be required for appreciating the feelings of these officers, thus virtually, but most distinctly, insulted by the government, by the imputation of deliberate falsehood. The officer who alone did not sign this declaration, had been gratified on the day of Col. Bell's removal by appointment to a staff office of importance at the Presidency, from the favour of the Governor in council.

It is confidently asserted, by those who seem to have had good opportunities of knowing the facts, that the conclusions of the government, in the case of Lieut. Col. Martin and Captain Marshall, were equally groundless; the writers examined having mistaken a most respectful appeal to the Court of Directors, which they had copied under the direction of those officers, for that of an offensive nature on the same original subject to which the questions of the government were directed, and which memorial it is notorious that these two officers decidedly disapproved, and most certainly did not encourage. Mr. Balfour's writer had merely copied

for Captain Coombs, late aid-de-camp of Gen. Macdowall, the orders and documents which had appeared subsequently to his departure on the subject of the General's conduct, and which, as an act of attention and justice to his absent patron and friend, Captain Coombs had connected by a summary of the events to which the documents referred. The charges against Lieut. Col. the Hon. A. Sentleger were refuted by the written declaration of every officer under his command; and in the case of the other officers, with the circumstances of which I am not so well acquainted, there is reason to infer an equal degree of exaggeration or error. The tenor of Lieut. Col. John Bell's conduct, at the mess, at the artillery, at the Mount, had been grossly falsified by some of the corps d'espionage. That high-spirited and highly respected officer, who had recently arrived from England, uniformly discouraged the agitation of political questions; he first affixed his name, as truth and honour demanded, to the address to Col. Robert Bell, disavowing the facts on which he had been removed from command; but when it was proposed that the officers in a body should wait on their late commandant to present the testimony, he combated this design in a speech of considerable animation, and actu-

ally succeeded in dissuading them from its adoption, as unnecessary to the justification of Col. Robert Bell, and liable to the imputation of being an act of ostentatious disrespect to the government. This strictly military, loyal, and respectful conduct of Lieut. Col. John Bell, was perverted into a seditious oration. He was peremptorily ordered to quit the Mount in twenty-four hours, and proceed to Seringapatam.

He strongly felt the unmerited insult; and it is greatly to be feared, or rather certainly to be inferred, that the keen sense of injury on this occasion has strongly influenced his recent criminal and fatal resistance of the authority of the government in the garrison of Seringapatam.

The compliment which was offered to the subsidiary force of Hyderabad on a want of common feeling with the rest of the army, which a sense of public duty alone had hitherto induced them to suppress, produced the effect of giving free vent to the long-smothered flame: they assumed a tone of violence hitherto unexampled; they declared to the rest of the army, by a circular letter, their union in the sentiment of disgust at the conduct of the government; they disclaimed all title to the proffered commendation, and at the moment when

Col. Close had been nominated by the government to command that force, its officers, in the height of that paroxysm of rage which had not yet begun to abate, in a direct address to the Governor in council, dated the 15th of May, required the abrogation of the general orders which on the 1st of the same month had been issued to the army.

It is scarcely possible to conceive a situation more extraordinary than that, in which the miserable policy of persevering in a floundering series of error to support an original act of fundamental injustice, had now involved the government of Madras. It would be superfluous to point the inference which obviously occurs to the mind, when the officers of an army, acknowledged even by the order of the first of May to have been ever "no less distinguished for their obedience and discipline, than for their achievements in the field," shrink from the commendation of the government they serve, and spurn its praises as dishonour.

The letter of the supreme government to that of Madras, dated the 27th of May, had been received, and was about this period circulated for the information of the army. The effect of this elaborate production did not accord with the apparent expectations of its author. Lord

Minto, bred to the Scotch bar, handled the cause of the Madras government with all the ability of an advocate for his client. His pleading had judiciously thrown into shade, or totally omitted, all the bearings of the case which formed the groundwork of the opposite argument; begging the question on every disputable point, he introduced a mass of popular doctrine on the principles of the British constitution, in answer to supposed pretensions, unasserted claims, and arguments that had never been urged. Truisms inapplicable to the case were clothed in language that did honour to his Lordship's talents for composition, and their splendour for a while dazzled the judgment of his readers, although warned against the admission of "confused analogy." Singularly enough, the chief object of this essay was to expose the absurdities of an imaginary "memorial, supposed to be addressed to him from the officers of the Madras army," which, as far as adoption, signature, presentation, and avowal are required to constitute an instrument, had never any existence. This fact will unquestionably excite your astonishment; but I pledge myself that the memorial never was presented to Lord Minto or to any other public authority, and that it was

decidedly reprobated by a large majority of the respectable officers of the army. Forty-two closely *printed* pages of argument on subjects extremely interesting to the great body of the officers, charging them in no very measured terms with pretensions, arguments, and designs involving the deepest guilt, which certainly they contemplated for the first time in the perusal of his Lordship's dissertation, seemed little calculated by their circulation to arrest the discussion of the subjects on which they treated : and the novel doctrine, that slander is disarmed of its sting, and should be welcomed with respect when it had obtained belief with high authorities ; (par. 46.) that the promotion of legal trial constitutes a "*monstrous proceeding* ;" (par. 50.) while its prevention was a just, legal, and indisputable interposition of authority ; (par. 50.) that the obedience of the Commander-in-Chief to this assumption of power (against which he formerly protested) is a proof of its legality ; (par. 60.) that in reprimanding an officer under his command and one of his immediate staff, the Commander-in-Chief is guilty of sedition ; (par. 67.) and that an Adjutant-general and his deputy, who under general principles of subordination were peculiarly bound to give the example of

that obedience which it was their duty to enforce, should on that occasion have been subject to the penalties of sedition for not being guilty of disobedience to their Commander-in-Chief; (par. 81.) were propositions so evidently repugnant to reason and justice, that even the eloquence of a Governor-General could not procure them credence.

It was remarked, however, that a clause of reservation was annexed to the opinion on each of the more delicate questions, which seemed to evince a doubt of its propriety even in his Lordship's mind; and that he desired to entrench himself behind the only genuine ground, namely the incompetency of the army, under any legal form, to take on themselves the decision of any question whatever. They traced in his Lordship's view of the powers of Governor and Commander-in-Chief, the continued influence of that contest which he had maintained in Corsica on a subject of the same nature in which the cause he argued was his own: and they regretted that his Lordship had quitted the profession of the law before he had attained its highest honours, as the acknowledged privilege of an advocate to press forward to decision on the evidence of one party, might have been corrected and matured by the appropriate ha-

bits of the bench, which dictate the delay of decision till both parties have obtained an impartial hearing. His Lordship's presence on the Coast about, or rather before this period, might have been highly beneficial to the state, but his elaborate dispatch tended only to weaken his influence.

The farther persecution of Major Boles, for no other reason that can be devised, except his extreme prudence in withdrawing himself altogether from society, excited additional indignation. I have already stated, that he had been twice refused permission to proceed to England while it was possible, and freely permitted when it was impossible: he was now, for the purpose of proceeding south round the Cape of Good Hope, transported north to Bengal. Lieutenant Colonel St. Leger and Captain Marshall had a similar destination.

In the progress of that system of inquisition which nothing could escape, private intimation that Captain Marshall, the proscribed, had dined with the mess of the Madras regiment on his route to Visagapatam, had been followed by the supersession of Captain Andrews who then commanded the regiment. His successor Lieutenant-Colonel I., a man of feeble intellect, filled with desire to manifest his gratitude to

those who had procured him the command of the station, officially reported that the Quarter-Master of the regiment at the regimental mess had alarmed his loyal feelings by giving as a toast, "*The friends of the army.*" Congenial absurdity gave public importance to this trivial circumstance; by return of post the proposer of the toast was deprived of a staff-appointment which he had held for several years; and the officer who had either seconded the proposal, or first drank the toast, was sent to solitary banishment in an unhealthy hill fort. These officers, for whose dismissal and exile no reason had been assigned, requested investigation; it was refused: and another officer, who had been appointed Quarter-Master, hesitating to accept the post, the officers of the corps were informed by the Lieutenant-Colonel, "that he had received
" intimation from the Commander of the forces,
" that such conduct should be followed by the
" dispersion of the regiment, which should be
" disbanded."

At this period a detachment was unfortunately ordered from the regiment to serve as marines on his Majesty's ships, (a duty from which it was understood that his Majesty's troops in India had recently been exempted by orders;) and another detachment was ordered to prepare for

embarkation to Prince of Wales' Island. For these duties, the two officers already condemned without trial were expressly named in the orders from head-quarters. This unusual interference marked the intended duty as a punishment, and the reported exemption of his Majesty's troops from a duty thus allotted to the Company's gave to the measure a character of degradation, and confirmed in the heated minds of the regiment the belief of its intended dispersion. Officers and men joined in a determination to resist; they confined the Lieutenant-Colonel Commanding, whose folly had been the source of the evil, and, joined by the native battalion and artillery company in garrison, resolved to maintain the place in avowed mutiny, and to open a communication with the force at Hyderabad.

Intelligence of this event, when received at Madras, occasioned considerable alarm: on the 30th of June, Lieutenant-Colonel Malcolm, who had recently returned from a mission to Persia, was appointed to command the regiment and station, and proceeded to Masulipatam, where he was also nominated president of a court of enquiry, ordered to assemble there. Employing conciliation rather than violence, he succeeded to a great extent in re-

claiming for a time the deluded garrison; but, by this conduct he offended, and perhaps alarmed for their own influence, the advocates of the coercive system; and on his return to the presidency towards the conclusion of that month, it was remarked that he had lost the confidence of the Governor: as did every man who attempted by moderation to stop the wild career of men irritated to madness, and to lead them back by reason and persuasion to the path of duty.

The actual seizure of the Fort of Masulipatam by its mutinous garrison, and the declaration of the subsidiary force at Hyderabad, that they would not obey the government until the order of the 1st of May should be rescinded, seemed to mark the precise period when the time for conciliation was past. Every practicable means had for some time been taken for obtaining re-inforcements of European troops for the purpose of armed coercion; and on the 26th of July a measure was adopted, which certainly was entirely consistent with the former proceedings of the government.

On that day it was resolved to demand from all the officers of the Honourable Company a solemn declaration on honour, "That they would obey the orders, and support the au-

"thority of the Honourable the Governor in
 "Council of Fort St. George, agreeably to the
 "tenor" of the commission which they held
 "from that government." The requisition,
 although extraordinary, implied no obligation
 beyond that which the acceptance of a com-
 mission more solemnly and unequivocally in-
 volved; and there was a singular obliquity of
 thinking, in supposing that men who were con-
 sidered to be determined to abandon their most
 sacred obligations, should hesitate at the minor
 guilt of dissimulation. The test however was
 accompanied by a letter to be previously read
 to the persons required to sign it, containing the
 most unqualified intimation that the government
 considered a great portion of its officers to
 be *seditions*; that this test was therefore re-
 quired of them for the purpose of ascertaining
 those who were fit to be trusted, and to such as
 should not instantly sign it, the alternative was
 announced of "being removed from the im-
 "mediate execution of duty with the troops,
 "and allowed to remain at an appointed station
 "in the receipt of their ordinary allowances,
 "until the situation of affairs, and the temper
 "of their minds, should admit of their being
 "employed with advantage to the state;" in
 the anticipation of refusal, directions were gi-

ven to place the officers of his Majesty's service (whose praises were coupled with the sedition of the Company's) in the command of the Company's troops, and in the staff situations held by the Company's officers, an expectation not calculated to produce the most conciliatory manner of executing the instructions, which, with few exceptions, it fell to their province to enforce. The letter concluded with desiring the native troops to be informed that their European officers were engaged in a criminal pursuit of objects, personal to themselves, and desirous to involve the native troops in their guilt, cautioning them to refuse belief to the suggestions of their officers; holding out the expectation of reward to the natives, and ordering force, if necessary, to march for effecting the objects described.

It is worthy of particular remark, that the officers of his Majesty's service had no cause to dread the injuries which formed the present ground of discontent in the Company's army; suspension without trial, being a power which no Company's government dares to exercise over an officer exclusively commissioned by the King.

At most of the stations, officers of his Majesty's service commanded; at the Presidency and

the Mount this most ungracious order was communicated in the most ungracious manner ; and at Trichinopoly the officers who adopted the alternative of retirement, were sent like common felons to confinement, and marched in the same state to Tanjore !

Of above twelve hundred officers present with the Coast-army, only one hundred and fifteen signed the test. The triumph of duty over feeling prevailed with a few, and a sense of interest with many more. But no stronger proof of the impression which the test was calculated to inspire could exist, than the fact, that the effect of a measure of which they could have no previous idea, was on 1100 out of 1200 officers at various stations, without the possibility of previous concert, exactly the same, that of exciting indignation and disgust. Indeed no man of sensibility could listen to such an address without that feeling, and it is not matter of surprise that the alternative offered was accepted by nearly the whole, who rejoiced in an opportunity, which seemed distinctly to invite their temporary retirement to that private station, which presented itself to their fancy, as the post of honour, described by the most eminent of our Poets. I could name to you some hundreds of officers, who, with faltering steps and bleeding

hearts, were prepared to make the last sacrifice to duty in marching against their deluded brother officers ; who hailed the alternative of retirement, as a reprieve from the bitterest punishment which public authority could inflict. Some indeed have supposed that the measure was intended to produce this effect, while others, who think that any thing savouring of humanity, would be a forced construction of any part of the system, have ascribed the measure to a still more hateful and incredible source.

I have described the result of the test, at three of the principal stations, and shall now briefly advert to what occurred at the others. At Bangalore, Colonel Gibbs of His Majesty's 59th, an officer whose conduct had particularly commanded the respect and confidence of the Company's officers under his command, delayed obedience to the order, against which he strongly remonstrated, because, as he had declared, he was confident in the loyalty and obedience of every person under his command, and was aware of the consequences which the communication of such an order must produce on the minds of any men jealous of their honour; he was compelled by a renewed and peremptory order to enforce it, and every officer retired. In the ceded districts and the northern division the

officers, with the exception of a few of the staff, universally refused. In Travancore and Malabar the officers declined (as my letters from thence describe it,) "to acknowledge the receipt of an insult," but assured their commanding officers, that they would be obedient, and, in every possible extremity, faithfully perform their duty. These commanding officers, Colonel Forbes and Colonel Stewart of his Majesty's service, acting with discretion, stated the circumstance to government, and were, it is said, strongly rebuked for preferring reason to violence. At Nundidroog, a battalion of the 3d regiment of native infantry, and the charge of that impregnable garrison, was left to the senior Subidar, the whole of the European officers, including the Commandant, having declined the test, and retired towards* their appointed exile. At Seringapatam, some indecision appears to have occurred with regard to the course to be pursued; the circumstances became known to the men of the battalion of artillery, and the native corps in garrison, who declared that they would not be separated from their officers; Colonel Davis commanding the division, who had gone on the 30th of July to

* Appendix, No. 10. Major Welsh's singular letter.

that garrison to enforce the order, was for a time detained as a prisoner, but afterwards released: a detachment of his Majesty's 80th regiment was sent out of the garrison, which shut its gates, and determined on absolute resistance, under the command of Lieutenant-Colonel John Beil, of the artillery.

In that gradation of insanity, produced by gradations of injury, and the re-action of feelings permitted to overstep the boundaries of duty, the crisis had now arrived, which I conscientiously believe, not one of the officers then in resistance had contemplated, until irritated beyond the controul of reason. They had, in a period of phrenzy pledged themselves to support each other, and on a mistaken idea of what honour required from such a pledge, they acted to the injury of their honour, and to the disgrace of the service to which they belonged.

On the 3d of August the government announced in public orders to the *native troops* that a considerable number of their European officers had renounced their allegiance, and were removed from the exercise of authority; and called on them to give obedience exclusively to the government, and to those officers whom the government might appoint to command them.

On the same date Colonel Close arrived at Hyderabad, and attempted to take the command of the force. Lieutenant-Colonel Montresor, who still exercised a limited command over the detailed duties of the troops, met him and reported their state; his Majesty's 33d regiment being the only corps fully under his command: the officers commanding the other corps, wished to enter into stipulations with Colonel Close: he demanded their obedience, and appealed to their feelings as soldiers, as subjects, and as men, in terms which produced the most evident agitation in their minds; but without immediate success. Finding his efforts with the officers unavailing, he addressed himself to the native troops, and, in a tone of peculiar eloquence and animation, demanded of them to obey him as the officer appointed by the government, to whom their regimental officers were disobedient. If any man in the service could have effected such an object, Colonel Close was that man. *Habit* and *discipline* prevailed against him. The men obeyed the officers in the customary gradation of command, according to the course of instruction by which every soldier is habitually taught to deem no order binding that does not come through its appointed channel. After a short and anxious

struggle to recall them to allegiance, Colonel Close observed indications of intended violence, and felt himself compelled to demand the only alternative which seemed to remain, namely, that he should be either their commander, or their prisoner. The field-officers, however, treated him with the highest veneration, deprecated the idea of personal disrespect, refused to consider him as a prisoner; and appeared to feel most poignantly the situation in which they stood. They had originally given way to the violence of younger men, who had gained ascendancy from numbers; and Colonel Close, after a display of ability, firmness, and ardent zeal, which elevated his high character even in the opinion of those who most opposed him, left the cantonment after requesting Colonel Montresor to resume the degree of command which he had been able to exercise, to avoid the dreadful consequences of total anarchy.

The effect of this scene was various as the minds which were called on to consider it. The senior officers, roused to reflection by the eloquence of Colonel Close, viewed with horror and remorse the extent of their guilt; the younger and more violent men resolved on measures of extremity. The natives were at this time steady in their attachment to their

officers, and so much alarmed and provoked at the idea of being separated from them, and placed under the command of young officers from the King's service, that they entered into a solemn pledge to each other to destroy the 33d regiment, if it should attempt to oppose them; the cavalry proposing that they should be allowed to charge them first. Circumstances, which accidentally occurred, tended to prove the reality of this feeling, and it was most fortunate that the prudence of Colonel Montresor prevented such a catastrophe.

The garrison from Masulipatam, and the field detachment at Jaulna, were summoned to join the Hyderabad force, which had prepared to march on the 9th of August, but was prevented by the temperate and conciliatory remonstrances of Colonel Montresor. The garrison of Masulipatam, which had been calmed by Colonel Malcolm's exertions, when he left that place on the 22d July, was, by the subsequently proposed test, replaced in mutiny, and had determined to march on the 8th of August to Hyderabad.

At this period the proclamation of the Governor-General, of the 20th of July*, announ-

* Appendix, No. 11.

cing his intention to proceed to the coast, for the purpose of making himself more accurately acquainted with circumstances, and endeavouring to reclaim the officers to a sense of their allegiance, reached Masulipatam, and was forwarded to Hyderabad. Reflection had already operated powerfully; Colonel Close's oration, for as such it eminently deserves to be distinguished, had shown to all but the most violent, the abyss into which they were about to plunge; they eagerly caught at the opening for escape offered by Lord Minto's proclamation; and, on the 11th of August, addressed a letter to his Lordship, submitting to his authority, signed the test, and asked amnesty for themselves and brother officers at other stations, to whom they earnestly recommended the immediate adoption of similar measures*.

On the same date a scene occurred, near Seringapatam, of a nature to recall to a sense of duty all in whom that sentiment was not utterly extinguished. The leaders of insubordination, in that garrison, had summoned to their aid two battalions from Chittledroog, which had marched on the 6th, and, after being harassed by the Mysoor horse, placed for that

* Appendix, No. 12.

purpose, on their route, had, on the 11th, approached within four miles of Seringapatam; a regiment of dragoons, his Majesty's 59th regiment of foot, a regiment of native cavalry, and a battalion of native infantry, both officered from his Majesty's corps, had marched from Bangalore, under Colonel Gibbs, to intercept this detachment. Worn out by a march of 180 miles in five days, the Sepoys from Chittledroog, at the moment of attack, were incapable, had they been willing, to make resistance; and, on the appearance of the dragoons joining the Mysore horse in the charge, threw down their arms, and endeavoured to escape across a nulla, beyond which a swamp of paddy fields would aid their escape to the fort, whence a detachment had sallied to make a diversion in their favour; all but the rear guard had crossed, when the dragoons charged the unarmed and unresisting Sepoys, and cut down 150 of their number. Captain Mackintosh, their commander, who had crossed the nulla, returned to endeavour to stop the carnage, and was wounded and made prisoner; the other officers, with above one thousand men, got into the Fort of Seringapatam without farther loss, one young officer excepted, who died from excessive fatigue.

On the 9th of August, the government had, by general orders, pardoned the non-commissioned European officers and privates of the European regiments at Masulipatam, excluding the officers as rebels. This order was, on the 14th, read to the regiment by General Pater. The men declared that they would accept of no pardon in which their officers were not included; a considerable agitation ensued; but the proscribed officers at length succeeded in persuading the men to *return to their duty*, and *leave them to their fate*.

The government had resorted to the most dangerous of all expedients to counteract the existing disaffection, by causing letters to be written to native officers, and employing agents to tempt the men, by promises and other means of persuasion, to desert their European officers, who were stated to be unworthy of respect and obedience. It was safe to trust to such a man as Colonel Close the personal exercise of such a dangerous discretion; and it may be added, that after his failure, it was absurd to expect more powerful effects from the intervention of any other agent. But the very success of an attempt thus thrown abroad to work desolation, under the blind, distant, and uncontrouled direction of chance, was infinitely more to be

apprehended than its failure, and it was fortunate that, in every instance that I have heard of, the receivers of such letters uniformly waited on their officers to report the fact, treated them as forgeries, and declared that these attempts only bound them more firmly in their attachment.

The first effect of this system was unfortunate. Letters, of the tendency above described, received by native officers at Jaulna, from the office of the Adjutant-general, were immediately communicated to their officers. This large and effective field-force, when summoned to march to Hyderabad, had resisted the measure, and remonstrated against violence; the present incident, added to the intelligence of the test, threw its officers into a state of phrenzy; they actually marched on the 14th, confident in the unshaken attachment of the native troops, and published a most inflammatory manifesto, to explain the objects of their movement. The intelligence of Lord Minto's proclamation, and the submission of the officers at Hyderabad, reached them on their second march, and they returned to their former frontier station.

A laboured account, "stating that nearly the whole of the rebel force from Chittledroog

had been destroyed," had been published under the authority of the government, on the 18th of August, and the *unhappy fate* of the whole had been pourtrayed in a very moving picture, inserted in the general orders, and translated for the edification of the native troops; it so happened that one of the battalions at Hyderabad was raised at the same place as one of those stated to have been destroyed, and both corps were nearly connected by family relationships. The account of this *destruction* produced the greatest agitation in the battalion alluded to, and through it in all the other corps. The women called loudly on their husbands and brothers to revenge their relatives, who had been butchered by the *Europeans*; and, it is difficult to determine, whether the storm would have burst on the 33d regiment, have terminated in a renewal of the scenes of 1806, or have involved the horrors of both, had not a private letter, which Colonel Montresor judiciously made public, contradicted the official statement. On the 30th of August, the government thought proper to contradict their narrative of the 18th, but the agitations which have been produced among the native troops, by the communications made

to them, under the authority of government, are assuming the most serious forms, and I shudder to contemplate their probable consequences.

Seringapatam surrendered unconditionally on the 22d of August; and all resistance is considered to be now at an end.

I have hastily described the progress of actual resistance and rebellion, not only from a dislike to dwell on a subject so painful, but from a persuasion that you will receive it at length in public documents, which you will of course peruse with the doubts and reservations arising from the example which I have just recited.

Lord Minto arrived on the 11th of September, and if he sees with his own eyes, and hears with his own ears, he may yet do much good, although his powers are greatly weakened by the unguarded approbation he bestowed, without a thorough knowledge of the nature of the system which he praised.

I inclose, together with copies of all the papers to which I have hitherto referred, an address, stated to be from the principal inhabitants of Madras, to Sir George Barlow, who answers and thanks in that character, the Chief

Judge, without his colleague, two members of the council, the participators of his measures, without the senior member, who is stated to have opposed them, and an assemblage of dependants, civil and military, including the Governor's own personal staff, who, in allusion to the official station and habits of its supposed author, were said to have been subpoena'd to sign what they had not been assembled to propose or discuss. A very differently signed address may be expected to Lord Minto: a meeting has been regularly announced by the Sheriff, and the sentiments towards his predecessor will procure him abundant congratulations, although he does not himself precisely correspond with the notion we have formed, from some examples yet fondly remembered, of "a patriot Governor-General."

Sir George, since he, like the non-conforming officers, has been obliged *to retire for the present from the functions of that office*, is said to claim, for his measure of influencing the Sepoys, the whole merit of subduing insurrection. Nothing can be more completely unfounded; the Sepoys adhered, even to the bad cause of their officers, until the moment of their submission, with an attachment at which all must rejoice, who know how to look beyond the present mo-

ment for the means of permanent prosperity in India. To the effect of Col. Close's address to the European officers at Hyderabad, their consequent reflection on the evils of civil war, and other countless mischiefs necessarily resulting from the fatal system they had adopted, and, above all, to the opening for hope afforded by Lord Minto's opportune proclamation, of the 20th of July, must be ascribed the return of the insubordinate to duty and obedience.

What may be the conclusion is a speculation at this moment of the utmost anxiety to all those (and they constitute the whole mass of society), who have friends they esteem, deeply involved in measures which they cannot but condemn, and who feel an interest in the future prosperity of India. May the Almighty grant firmness and decision to our present ruler, to inflict with promptitude, and according to due course of trial, those dreadful punishments, without which, the future exercise of government must be impracticable: and this work of imperious necessity, once over, and the requisite mercy extended to minor offenders, may the Source of all Mercy pour into his heart the wisdom to correct, by a radical change,

those errors in the recent system, which we view as the chief cause of all the evils we deplore !

I am,

My dear G——,

Your's, &c.

Madras, Sept. 13,
1809.

APPENDIX.

N. B. Many of the Papers transmitted with this Letter having already appeared in the daily Prints, have on account of their length been omitted by the Editor, such extracts only being retained, as appeared to be absolutely necessary for the information of the Reader.

No. 1.

CHARGE.

WE the undersigned Officers do hereby charge Lieut.-Col. Munro, quarter-master-general of the army, and captain in the Madras European regiment, with conduct unbecoming the character of an officer and a gentleman in the following instance, viz.

In having, in his plan for the abolition of the tent contract lately held by officers commanding native corps, made use of false and infamous insinuations, thereby tending to injure our characters as officers, and otherwise injurious to our characters as gentlemen,

Signed by thirty-two Officers Commanding Corps.

No. 2.

MEMORIAL from the OFFICERS commanding NATIVE CORPS upon the Establishment of FORT ST. GEORGE, to the Hon. COURT of DIRECTORS of the Hon. EAST-INDIA COMPANY, &c.

SHEWETH,

1. That we, the undersigned Memorialists, officers, commanding native corps upon the Madras Establishment, have the honour, with all deference and respect, to solicit the attention of your Honourable Court to the subject of our appeal, which we, with the utmost duty and submission, offer to your consideration.

2. Your Memorialists beg to state, that Captain JOHN MUNRO, of the European regiment on this Establishment, and quarter-master-general of the army, delivered some months since to the Commander-in-Chief at Madras, certain proposals, bearing date 30 June, 1808, recommending the abolition of the tent contract, which, on the 1st of July last, was taken from officers commanding native corps in your army, at Madras.

3. Whether the tent contract, as consistent with the good of the public service, should or should not have continued to exist, is a subject your Memorialists will not presume to trouble your Honourable Court upon; but certain articles which the Quarter-Master-General has inserted in his proposals, as motives that prevailed with him for recommending the abolition of the tent contract, your Memorialists have to observe, no less excited their surprise, than did the feelings of poignant concern, in perceiving such dishonourable principles so unjustly attributed to them.

4. Your Memorialists will here furnish the extracts from the Quarter-Master-General's proposals, on which they ground their complaint to your Honourable Court:—

“ Six years experience of the practical effects of the
 “ existing system of the camp-equipage equipment of
 “ the native army has afforded means of forming a judgment relative to its advantages and efficiency, which
 “ were not possessed by the persons who proposed its
 “ introduction; and an attentive examination of its
 “ operations during that period of time has suggested
 “ the following observations regarding it:—By granting the same allowance in peace and war for the
 “ equipment of a native corps, while the expences incidental to that charge are unavoidably much greater in war than in peace, it places the interest and
 “ duty of officers commanding native corps in direct
 “ opposition to one another; it makes it their interest
 “ that their corps should not be in a state of efficiency
 “ fit for field-service, and therefore furnishes strong
 “ inducements to neglect their most important duties.

“ By charging commanding officers of corps with
 “ extensive concerns, immediately affecting their private interests, it calculated, particularly in the field,
 “ to divert their attention and their pursuit from the
 “ discipline and management of their corps; objects
 “ that should furnish them with sufficient employment
 “ for the whole of their time.

(Signed)

“ JOHN MUNRO,

“ Quarter-Master-General of the Army.”

5. Your Memorialists, with the justest sentiments of deference to your Hon. Court, beg to state that these

articles unequivocally convey a most cruel and wanton insult, as well as an injurious aspersion (we all feel it) to officers who have faithfully served their country, many for nearly 30 years, some more ; in affirming, that upon the experience and observation of six years, formed upon the judgment of practical effect, it appears, officers commanding native corps have strong inducements, from interest, to neglect their most important duties, in order that their corps should not be in a state of efficiency fit for field-service.

6. Your Memorialists conceive that these assertions, in their application with regard to time, and operation with respect to effect, are no less than accusing them of having sacrificed the interests and security of the public service for a base purpose, and of having violated that trust which your Honourable Court, which Government, and which the Commander-in-chief, in certain confidence place in them. Your Memorialists perceive in them also an insinuation of an utter dereliction of the pride of military spirit, in their having a wish, from pecuniary motives, not to be prepared to meet the enemies of their country.

7. Impressed with those painful sensations, which such serious imputations cannot fail to create, your Memorialists, in several instances, without delay, and with all possible respect, separately addressed themselves to his Excellency the Commander-in-Chief, Lieutenant-General HAY MACDOWALL, upon the subject of the Quarter-Master-General's allegations. His Excellency had the condescension to answer the several applications of appeal ; but in a circular reply, observing in substance, that as he had not been consulted with regard to the

abolition of the tent contract, he did not feel himself at liberty to interfere in any matter connected with the subject, upon individual application.

8. Your Memorialists have to state to your Honourable Court, that, in consequence of this notification, feeling the injury done them by the insinuations in the Quarter-Master-General's minute, they adopted the means of redress which appeared to them to be most consistent with their ideas of justice, and, with the duty they owe to their superiors, submitted to their immediate principal, the Commander-in-Chief, the substance of their complaints, in the form of a military charge; but finding that this mode was considered by the Judge-Advocate-General to be irregular, or ineffectual towards the vindication of their injured feelings, they respectfully abide by that opinion for the present, and have solicited a suspension of the direct charge against the individual, while they appealed to the candour and justice of your Honourable Court, trusting it may please them to order an investigation of the subject, as from an investigation alone can they hope for a removal of the disgraceful impression which the insinuations in the Quarter-Master-General's proposals are calculated to produce, and which your Memorialists in confidence beg to assure your Honourable Court are equally unfounded in fact as they are injurious to the characters of the officers of the Honourable Company's army.

9. Your Memorialists have further to state to your Honourable Court, that had the Quarter-Master-General promulgated his injurious insinuations, serious as they are, in his capacity of Captain in the European regiment, a conscious integrity might, from the repugnance your Memorialists feel to complain, have

treated them probably with a dignified silence, or with private dissuasive admonition; but, armed with the authority of the Quarter-Master-General of the Army, your Memorialists are of opinion that they obtain a consequence and consideration, which, it is apprehended by them, cannot fail to influence the public mind, not only in India, but in Europe; and create a belief, that a Quarter-Master-General could not possibly circulate such serious assertions, against a body of officers of that army of which he is Quarter-Master-General, without an existing just cause.

10. To remove such an impression, and to establish upon incontrovertible testimony, that the officers commanding native corps have faithfully fulfilled those duties which the public service expects and requires from them, are the primary objects which gave birth to that solicitude on the part of your Memorialists, for an investigation. A secondary object is to stamp with due effect the nature of that offence in promulgating such serious and erroneous matter, so highly injurious to their characters as officers and gentlemen, as well as to the respectability of the Honourable Company's service in general.

11. Your Memorialists anxiously hope, that when the magnitude of the subject of which they complain shall be taken into consideration by your Honourable Court, it will fully appear to your judgment that they are not actuated, in their appeal, by any frivolous or unreasonably tenacious principles, on any object not strictly connected with that perfect moderation and temperate pursuit of justice, which your Honourable Court, in its wisdom and consideration, are ever dis-

posed to attend to, with those who, under the feeling and firm persuasion of just complaint, claim your protection and support.

12. Your Memorialists, through the medium of their immediate Superior, his Excellency the Commander-in-Chief, Lieut. Gen. HAY MACDOWALL, transmit their memorial; and in relying upon that distinguished liberality and goodness which have invariably marked his attentions to them, to give their cause that support which in his judgment it may deserve; they will with every sentiment of profound respect and deference submissively wait for, and obediently conform to such decision, as your Honourable Court shall, in the justness of your wisdom, determine upon their cause.

Madras, Signed by thirty-two Officers,
Dec. 1808. Commanding Native Corps.

[This was rejected by Sir GEORGE BARLOW, and returned to General MACDOWALL.]

To the ADJUTANT GENERAL of the ARMY.

“SIR—We the under-mentioned Officers, commanding native corps upon this Establishment, have the honour to forward the accompanying memorial which we request you will lay before his Excellency the Commander-in-Chief, Lieut. General HAY MACDOWALL, and which we have to solicit his Excellency will take such measures as to him may appear most suitable for the transmission of the same to the Hon. Court of Directors.

“The Commander-in-Chief being already so well acquainted with the general and particular circumstances that gave rise to the immediate subject of appeal, it be-

comes wholly unnecessary on our part to enter into any further explanation for his Excellency's information.

"The long series of years which the Commander-in-Chief has served with the Coast-army, and that benign goodness with which he has invariably, both in his public and private character, distinguished many of those who now appeal through his authority, under a period of painful concern, creates every confidence and hope that his Excellency will, as our immediate superior, condescend to honour our memorial with such assistance and support, as in his judgment the subject has claim to; and which, we are fully persuaded, cannot fail to give it the most impartial introduction to the attention of the Hon. Court of Directors.

"Madras Establishment, Dec. 1808."

[Signed by 32 Officers commanding Native Corps.]

No. 3.

Extract—GENERAL ORDERS, 17th January 1809.

His Excellency the Commander-in-Chief is pleased to direct that officers commanding divisions, stations, corps, or detachments of corps, shall, on the receipt of orders directing the movement of any part of the troops under their command, forward by the same day's Post a copy of such orders to the office of the Adjutant-General of the Army, under similar exceptions to that contained in the 4th paragraph of the 7th section of the code of regulations respecting special orders from the secret department of government, when such copies shall be addressed personally to the Commander-in-Chief or officer commanding the forces, and superscribed—Secret.

No. 4.

GENERAL ORDERS.—BY THE COMMANDER-IN-CHIEF.

“ *Head Quarters, Choultry Plain, Jan. 25, 1809.*

“ The moment is now arrived when Lieutenant-General M'Dowall is to take leave of the Company's army, whose ardent courage, consummate discipline, and persevering firmness, have been displayed in the achievements of those brilliant exploits which have secured its own glory, and added to the British Empire extensive fertile regions of incalculable value and importance. May your patriotism, valour, and worth, be acknowledged and rewarded by your King and the East-India Company, in proportion as they are known and appreciated by your Commander-in-Chief!

“ Had Lieut. General M'Dowall succeeded to the high and enviable office with all the advantages enjoyed by his predecessors, he would, upon first assuming the command, have promulgated his sentiments on so flattering an event; but the circumstances of his appointment were so humiliating and unpropitious, that he declined addressing the army, in the anxious hope that the Court of Directors might, on further deliberation, be induced to restore him to his right, by altering the new and extraordinary forms of government, and have enabled him to exercise the function of his station, as the representative of the army, with honour to the service and credit to himself; no prospect of such an occurrence being at all probable, in justice to the army and to his own character, he has determined to retire.

“ On quitting a country where he has passed the greatest part of his life, and where he possesses many

dear and respectable friends, Lieut.-General M^cDowall cannot view his separation from a body of men he is sincerely attached to, without suffering the most painful sensations from the nature of the service he can have little chance of ever meeting with them again, but he is bound to declare that the whole of their conduct meets with his entire approbation, and he will boldly affirm, without danger of contradiction, that his Majesty has not, in any part of his dominions, a more loyal, patriotic, and valiant class of soldiers and subjects, than the officers composing the army at Fort St. George. That success may continue to attend their steps; that their dearly bought laurels may never decay; and that their bravery and discipline may gather additional wreaths in the field of honour, is the sincere prayer of a man who will never forget them!

(Signed)

"F. CAPPER,

"Adj-Gen. of the Army."

No. 5.

GENERAL ORDERS.

G. O. By the Commander-in-Chief.

Head-Quarters, Choultry Plain,

Jan. 28, 1809.

The immediate departure of General Macdowall from Madras will prevent his pursuing the design of bringing L. Col. Munro, Quarter-Master-General, to trial, for disrespect to the Commander-in-Chief, for disobedience of orders, and for contempt of military authority, in having resorted to the power of the civil government

in defiance of the judgment of the officer at the head of the army, who had placed him under arrest on charges preferred against him by a number of officers commanding native corps; in consequence of which appeal direct to the Honourable the President in Council, Lieut. Gen. Macdowall has received a positive order from the Chief Secretary, to liberate Lieut. Col. Munro from arrest.

Such conduct on the part of Lieut. Col. Munro being destructive of subordination, subversive of military discipline, a violation of the sacred rights of the Commander-in-Chief, and holding out a most dangerous example to the service; Lieut. Gen. Macdowall, in support of the dignity of the profession, and his own station and character, feels it incumbent on him to express his strong disapprobation of Lieut. Col. Munro's proceedings, and considers it a solemn duty imposed upon him to reprimand Lieut. Col. Munro in general orders: And he is hereby reprimanded accordingly.

T. BOLES,
Dep. Adj. Gen.

No. 6.

GENERAL ORDERS.—By Government.

*“ Fort St. George,
Jan. 31, 1809.*

“ It has recently come to the knowledge of the Governor in Council, that Lieutenant-general M'Dowall did, previously to his embarkation from the Presidency, leave, to be published to the army, a general order, da-

ted 28th inst. in the highest degree disrespectful to the authority of the government ; in which that officer has presumed to found a public censure on an act adopted under the immediate authority of the Governor in Council, and to convey insinuations grossly derogatory to the character of the government, and subversive of military discipline, and of the foundation of public authority. The resignation of Lieutenant-General M'Dowall of the command of the army of Fort St. George not having been yet received, it becomes the duty of the Governor in Council, in consideration of the violent and inflammatory proceedings of that officer, in the present, and on other recent occasions, and for the purpose of preventing the repetition of further acts of outrage, to anticipate the period of his expected resignation, and to annul the appointment of Lieutenant-General M'Dowall to the command of the army of this Presidency. Lieutenant-General M'Dowall is accordingly hereby removed from the station of Commander-in-chief of the Forces at Fort St. George.

“ The Governor in Council must lament, with the deepest regret, the necessity of resorting to an extreme measure of this nature ; but when a manifest endeavour has been used to bring into degradation the supreme public authority, it is essential that the vindication should not be less signal than the offence ; and that a memorable example should be given that proceedings subversive of established order can find no security under the sanction of rank, however high, or of station, however exalted.

“ The general order in question having been circulated under the signature of the Deputy Adjutant-General

of the army, it must have been known to that officer, that in giving currency to a paper of this offensive description, he was acting in direct violation of his duty to the government, as no authority can justify the execution of an illegal act, connected as that act obviously in the present case has been with views of the most reprehensible nature ; the Governor in Council thinks proper to mark his highest displeasure of the conduct of Major Boles, by directing that he shall be suspended from the Company's service.

“ The general order left by the Commander-in-Chief for publication, under date 28th inst. is directed to be expunged from every public record, and the Adjutant-General of the Army will immediately circulate the necessary orders for that purpose.

“ By order of the Hon. Gov. in Council,

“ GEO. BUCHAN.
Sec. to Government.”

No. 7.

Extract from the Officers at Nundidroog.

“ The Right Hon. Lord Minto has admitted the right of soldiers on some occasions to consider the nature and tendency of orders : under this sanction we solemnly protest against measures, which, if persevered in, cannot fail to ruin our Honourable masters. We see the evil already far advanced ; we behold the probable consequences of the present system ; and we shudder for the fate of British India.”

G. O. By the Honourable the Governor in Council.

Fort St. George, the 1st of May, 1809.

The zeal and discipline by which the military establishment of *Fort St. George* had long been distinguished, induced the Governor in Council to expect that the measures which the violent and intemperate acts of the late Commander-in-Chief had imposed on the Government, would be received by all the officers of the army with the sentiments of respect and obedience prescribed by the principles of military subordination, and due to the government by which those measures were adopted, as well as to the authorities to which they were ultimately referred. The Governor in Council has however learned with a degree of surprise proportionate to the confidence which he reposed in the discipline of the army, that soon after the departure of the late Commander-in-Chief, proceedings of the most unjustifiable nature, and correspondent to the example which he had afforded, were pursued by certain officers of the army.

The most reprehensible of those proceedings consisted in the preparation of a paper addressed to the Right Honourable the Governor-General, purporting to be a remonstrance in the name of the army against the acts of the government under which it serves. That paper is not more hostile to the authority of this government than to the first principles of all government.

It maintains opinions directly adverse to the constitution of the British service, and is calculated to destroy

every foundation of discipline, obedience, and fidelity. The secrecy observed in preparing this seditious paper, prevented for some time the discovery of the persons engaged in that proceeding. But it has now been ascertained that Captain Josiah Marshall, late Secretary to the Military Board, and Lieutenant Colonel-George Martin, lately permitted to proceed to *England*, were principally concerned in preparing and circulating the memorial in question; and that Lieutenant-Colonel, the *Honourable* Arthur Senteleger was active in promoting its circulation, employing the influence which he derived from the important command confided to him by the government, for the purpose of attempting the subversion of its authority, and spreading disaffection among the troops which it had entrusted to his charge.

It has also been ascertained, that Major John De Morgan has been active in the circulation of the memorial.

The Governor in Council is also under the necessity of noticing another paper of a most dangerous tendency, lately in circulation at some of the military stations, purporting to be an address from the Officers of the army to Major Boles, the late Deputy Adjutant-General. In this address a right is assumed to decide on the acts of the government, by condemning in unqualified terms the sentence of suspension passed on Major Boles; and an encouragement is held out to other officers to violate their duty to the government, by affording a pecuniary indemnification not only to Major Boles, but to all such officers as shall suffer by any act of the government which the subscribers to the address may deem exceptionable. This paper, so incompatible with the military

character, and so repugnant to the first principles of military discipline and government, was forced on the attention of the Governor by Captain James Grant, Commandant of his body-guard, who, while holding that confidential situation, and employed by order of the Governor in Council under the Resident at *Travancore*, transmitted a copy of the paper to be laid before the Governor with an avowal that he had affixed his signature to it, and a defence of the grounds on which he adopted that proceeding.

It has also been ascertained, that a paper of a similar tendency has been circulated among the officers of the corps of artillery at the *Mount*, and that its circulation has been promoted by Lieutenant-Colonel Robert Bell, the officer commanding that corps.

The Governor in Council regrets that he is obliged to notice also the conduct of Lieutenant-Colonel Chalmers (commanding in *Travancore*,) and Lieutenant-Colonel Cuppage (lately commanding in *Malabar*, and employed with the troops under his orders in *Travancore*,) who appear to have taken no steps whatever either to repress, or report to the government the improper proceedings pursued by part of the troops under their orders. It is not sufficient for officers holding commands, to avoid a participation in such proceedings; it is their positive and indispensable duty to adopt the most decided measures for their suppression, and to report them to their superior authorities.

It has further been ascertained that Captain J. M. Coombs, Assistant Quarter-Master-General in *Mysore*, has been concerned in these reprehensible proceedings.

It becomes the painful duty of the Governor in Coun-

oil to mark with the displeasure of the government the conduct of the abovementioned officers, who have been engaged in a course of measures equally dangerous to the existence of discipline, to the foundations of legal government, and to the interests of their country.

The undermentioned Officers are accordingly declared to be suspended from the service of the Honourable Company until the pleasure of the Honourable the Court of Directors shall be known :

Lieutenant-Colonel the *Honourable* Arthur Sentleger.

Major John De Morgan.

Captain Josiah Marshall, and

Captain James Grant.

Lieutenant-Colonel Commandant Robert Bell is removed from all military charge and command until the pleasure of the Honourable the Court of Directors shall be known : but he is permitted to draw his regimental pay and allowances.

Lieutenant-Colonel Commandant Chalmers is removed from the command of the subsidiary force in *Travancore*.

The undermentioned officers are removed from their staff-appointments, and ordered to join the corps to which they stand attached :

Lieutenant-Colonel Cuppage, Adjutant-General ; and Captain J. M. Coombs.

The Governor in Council considers it to be proper to avail himself of this occasion to correct a misapprehension highly dangerous in its tendency, which has arisen in the minds of some of the officers of the army with regard to the nature of the authority of the Governor in Council. This misapprehension appears to have origina-

ted in the general order published by the late Commander-in-Chief on the 28th of January last, from which it might be inferred that the authority of the Governor in Council is only of a civil nature ; , whereas by the express enactment of the legislature, the entire civil and military government of the Presidency of *Fort St. George* and its dependencies is vested in the Governor in Council. It is therefore to be distinctly understood, that no officer, of whatever rank, while serving under the Presidency of *Fort St. George*, can, without incurring the penalties of disobedience to the legislature of his country, issue any order in violation, or to the derogation of the authority of the government ; and that every officer complying with an order of that description under any pretence whatever, renders himself liable to the forfeiture of the service, and to such legal penalties as the nature of the case may demand.

While the Governor in Council deems it to be proper to afford the foregoing explanation, he feels himself at the same time bound to acknowledge that the principles to which he has adverted, had never been called in question until the publication of the abovementioned order of the late Commander-in-Chief ; on the contrary, these principles had been invariably acted upon by the government and by the officers of the army of this Presidency, who have been no less distinguished for their obedience and discipline, than for their achievements in the field.

The Governor in Council also experiences the most sincere satisfaction in publishing his conviction that the majority of the army have resisted all participation in the improper and dangerous proceedings

described in this order; and it is an act of justice to the troops of his Majesty's service to declare his entire approbation of the order, discipline, and steady adherence to duty, which they have invariably manifested. The information before the government does not enable the Governor in Council to distinguish by the expression of his approbation all the troops of the Company's service that have manifested the same dispositions; but he deems it to be proper to notice on this occasion the satisfactory and exemplary conduct of the part of the army composing the *Hyderabad* subsidiary force. The Honourable the Governor in Council is also confident that such officers as have inadvertently yielded to the misrepresentations of individuals who have been engaged in the prosecution of designs equally fatal to the honour and to the interests of the army, will in future manifest in the service of the government the obedience, fidelity, and zeal, which constitute the first principles of their profession, which hitherto distinguished the army, and which are indispensable to the prosperity of the British Empire in *India*.

By order of the Honourable the Governor in Council.

(Signed)

A. FALCONAR,

CHIEF SEC. TO GOV.

*By order of Major General Gowdie,
Commanding the Army.*

No. 9.

To Lieutenant-Colonel Commandant, ROBERT BELL.

Sir,

The Officers of the Artillery now at St. Thomas's Mount have learnt with extreme regret, that by the orders of government, under date the 1st of May 1809, you have been removed from the command of their corps and this cantonment.

Permit us upon this occasion to express to you the happiness we have long experienced in your society, as an individual; the high respect we entertain for your military character, and the conviction with which we are thoroughly impressed of your being on every occasion actuated by a generous zeal for the public service, and the purest principles of private virtue, and professional honour. With such sentiments of esteem, it may be supposed, that the cause stated by government for the suspension of your functions has greatly distressed us; and firmly believing, as we do, that the Governor in Council must, on this occasion, have received information regarding you, altogether incorrect, we seize this early opportunity, in justice to you and to ourselves, to make this solemn and unequivocal declaration, that you have neither directly nor indirectly countenanced or influenced the circulation of any papers of the tendency alluded to in the above order; on the contrary, you have invariably evinced the greatest disinclination to making any comments whatever upon late occurrences.

With feelings of the highest respect and with a sin-

cere hope that we may soon again enjoy the honour and happiness of being under your command,

We remain, Sir, your sincere Well-wishers
and very obedient Servants,

(Signed) JOHN BELL, Lieut. Col.
and Twenty-eight Artillery-Officers.

No. 10.

To Col. DAVIS, Commanding, Mysore.

Sir,

I have this morning received your official letter, giving cover to a copy of a letter from government, under date the 26th ult. ; and have in reply to state, that I tendered the paper in due form to all the officers present here, who (unanimously) refused to sign it. I have delivered over the command to Supadar Bohool Sing, a most respectable and good soldier, whom I had some trouble to persuade to supersede his European officers in the command of the corps and station. The enclosed will fully explain any thing farther.

August 6th, 1809. I have the honour to be, &c.

(Signed) I. W——h.

late Major.

No. 11.

Extract from Lord Minto's Proclamation, or General Order of the 20th July, 1809.

The occurrence of this afflicting event*, combined with the agitation which unhappily prevails among the offi-

* The mutiny at Masulipatam.

cers of the army of Fort St. George, renders it the duty of the Governor-General to proceed without delay to that Presidency, in the hope of being enabled successfully to appeal to those sentiments of loyalty and attachment to their King and their Country, which his Lordship in Council yet confidently ascribes to the general body of the officers of the Coast-army, whose zeal, fidelity, and professional achievements have hitherto been the theme of just and unqualified applause, and by an accurate knowledge of all circumstances which have attended the late agitation, to devise such means as may best tend to avert the impending dangers of anarchy and insubordination, and re-establish the foundations of public security and national prosperity in this important branch of the British Empire.

No. 12.

(Copy.)

Secunderabad, 11th August, 1809.

We the undersigned officers of the Company's army, attached to the Hyderabad subsidiary force, awfully impressed with a sense of the dangers that threaten the country, and not less actuated by those pure sentiments of loyalty and patriotism, from which we have never departed, beg leave to assure you that we attribute the want of success of Colonel Close's mission to the sudden and unexpected manner in which he presented the test that was proposed for our signatures; relying however, as we are now disposed to do, upon the jus-

tice, wisdom, and clemency of your Lordship, we do not hesitate in avowing our determination to abide by your Lordship's decision; and as a proof of the sincerity of our principles, have subscribed the test which now accompanies this address: at the same time most earnestly appealing to your Lordship's generosity for granting a general amnesty to us and to all those who have been engaged in the late unhappy events.

To the Right Honourable Lord Minto, &c. &c. &c.

Circular to the Stations of the Army.

The above address with the test has been signed and dispatched by all the officers of the force: imperious circumstances demanded, and mature reflection impelled them to the measure which they earnestly implore their brother officers to adopt as speedily as possible.

(Signed) The Officers of the H. S. Force.
13th August, 1809.

FINIS.

AN
ACCOUNT
OF THE
ORIGIN, PROGRESS, AND CONSEQUENCES,
OF THE LATE
DISCONTENTS OF THE ARMY
ON THE
Madras Establishment.

Who can be wise, amaz'd, temp'rate and furious,
Loyal and neutral, in a moment !.....MACBETH.

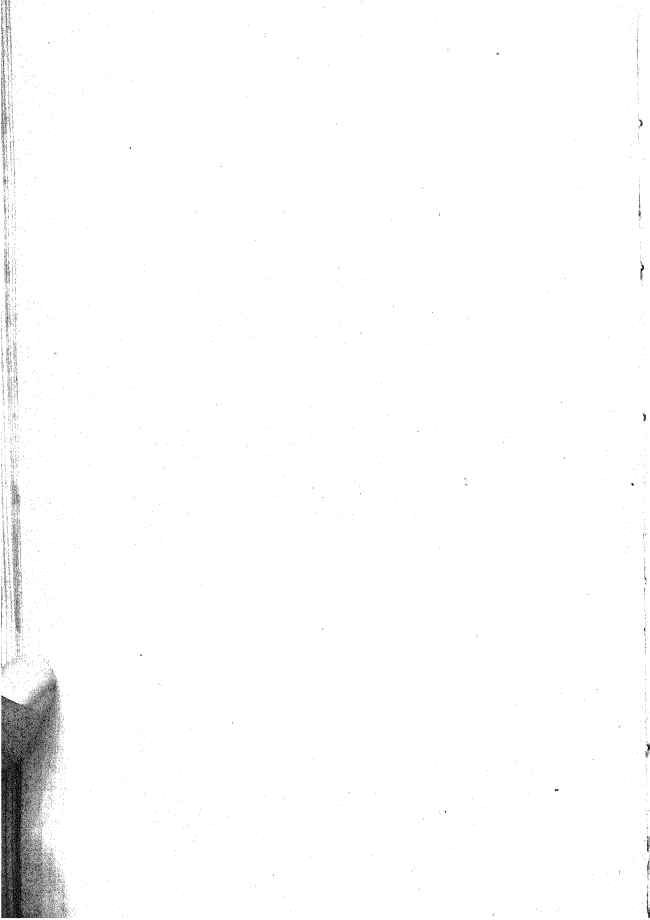
London :

PRINTED FOR T. CADELL AND W. DAVIES,
IN THE STRAND.

1810.

G. SIDNEY, Printer,
Northumberland-street, Strand.

TO THE
HONORABLE THE COURT OF DIRECTORS
OF THE EAST INDIA COMPANY,
THE FOLLOWING PAGES ARE RESPECTFULLY INSCRIBED;
IN THE HOPE
THAT THE TRUTHS AND OBSERVATIONS
CONTAINED IN THEM
MAY AWAKEN THEIR ATTENTION
TO THE ALARMING STATE OF THEIR INTERESTS IN
INDIA,
AND INDUCE A POLICY APPLICABLE TO THE
CRISIS OF THEIR AFFAIRS.



ACCOUNT, &c.

THE whole of the knowledge, which the public at present possesses, of the late unhappy occurrences on the coast of Coromandel, is derived from a few detached documents, that have been occasionally submitted through the medium of the ordinary newspapers. Some official accounts, in respect to the events themselves, and the causes which produced them, might have been expected from the Court of Directors for the affairs of the East India Company, or the Commissioners of the Board of Controul, if it had not been generally known, that authentic information, even on the most important subjects, very rarely finds its way to this country until public interest has abated, or has devised for itself other means of satisfaction. The circumstance is notorious; the causes of it might be easily developed, if it were our business to investigate them; but we shall content ourselves, at the present, with barely noticing the fact.

It may be supposed, without any affectation of charity, that the constituted authorities, immediately named, have not yet received any details from India, explanatory of recent transactions. A contrary supposition would involve them in the censure of reserving communications to themselves, which, if disclosed, might remove the anxiety so universally felt at this moment, directly or relatively, in the bosom of every family in the United Kingdoms.

In the absence of official accounts, such private information as may be procured, so that it bear the mark of truth or probability about it, and communicate particulars hitherto unknown, cannot be unacceptable to those who take an interest in the prosperity of our Indian affairs. It has been our endeavour to select from every accessible source, and to arrange in a connected form, the substance of the intelligence received by respectable individuals, having relation to the objects under our observation. Whether we have succeeded in our search after materials, or have made a proper use of them, when obtained, must depend on the impression made on the reader by the perusal of the ensuing pages.

LETTER I.

Madras, 15th June, 1809.

DEAR SIR,

THE great discontents which have prevailed in every class of the community under the Madras Government, during the last twelve months, have, doubtless, produced numerous complaints from individuals in the various departments of society, and these complaints, passing through the several channels, formed by curiosity or private friendship, will necessarily awaken the attention of, and excite considerable interest among, that part of the community, who are connected, either by political, or personal relations, with the individuals immediately concerned. A detailed narrative of the whole events would therefore be, to many, highly interesting.

When a community are obedient, respectful, and happy, it may be presumed that ability, experience, and virtue, form a part of the characters of those who rule; but if distrust and dissatisfaction prevail; if dissensions appear in every branch of the community; and that the body of Society

is unanimous only in the want of respect to those exercising the administration, it will be, by some, imagined that such administration is weak, ill-advised, and corrupt. When such appearances exist, an investigation of the cause of them becomes interesting to every well-wisher of his country; and it is therefore desirable, that some of those, who have witnessed the whole scene, should exhibit a faithful account of the transactions to the public; in order that posterity may benefit by the information; and that the advisers, the instigators, and the actors, in those transactions, may obtain a due reward of praise, if the measures be justifiable, or of blame, if they shall be found to be in direct violation of every duty to their God, and to their Country.

Leaving to other hands the history of the persecution of the Madras civil servants, and of the *bona fide* creditors of the Nabob of the Carnatic, together with the details of the interference with the proceedings in the Supreme Court of Judicature, and the secret mission of a civil servant, to collect evidence; these notes shall be confined to those occurrences, which have borne directly upon the feelings of the military branch of the service, and

have produced an agitation in the minds of officers, which cannot be contemplated without the most serious alarm. In order to convey an adequate idea of the measures which have progressively led to the present melancholy crisis, it will be necessary to review the subject from a period anterior to the departure of Lieutenant-general Macdowall from Madras.

About March, 1808, Sir G. H. Barlow, Governor of Madras, formed the intention of abolishing the allowance for camp-equipage, which had heretofore been supplied on contract by officers commanding native corps. In the adoption of this measure, the opinion of General Macdowall, the Commander in Chief, was not consulted; but as he was directed by Government to have the necessary orders prepared, Lieut. Colonel Capper, the Adjutant General, in this way, became acquainted with the circumstance. This officer had various opportunities of being acquainted with the general feeling of the army, and he considered it to be important, that a measure, which would materially affect the respectability of a large portion of the officers, should be introduced under circumstances as little odious

as possible. With these sentiments, and with the sanction of the Commander in Chief, he waited on Sir G. Barlow, told him that the proposed measure could not fail to be highly disagreeable, and as the officers had recently suffered many serious privations, he urged the expediency of modifying the system in any way that might accomplish the views of economy entertained by the Government, and at the same time might avoid doing violence to the feelings of the officers. Sir G. Barlow said, that economy was his only object, and that if equal saving could be produced in any other way, he did not see any objection against its adoption. He gave to Colonel Capper the plan as proposed by Lieutenant Colonel Munro, with instructions to return it with his remarks, in a few days. Colonel Capper accordingly delivered in to Sir George Barlow his remarks, with the original plan, in four days: but orders had already been issued, directing that the regulations should be framed. The remarks, given in by Colonel Capper, stated generally, that the plan of Lieutenant Colonel Munro had not been submitted to the Military Board, or to any of the staff officers of experience, who

might be able to correct any errors that might have crept into the production of an individual. They also noticed, that Lieutenant Colonel Munro had insinuated a charge of the most serious nature against the officers who had commanded Native battalions; for Lieutenant Colonel Munro's plan contains a passage, purporting, that the experience of six years, and an observation of the practical effects of the contract system, suggested the observation, that the contract induced the officers commanding corps to keep back the discipline of their men, in order that they might not be fit for field service; and that the contract might therefore be more advantageous. The remarks of Lieutenant Colonel Capper further suggested the outline of a plan of reduction, which promised an annual saving of above 1,50,000 pagodas. However, Sir G. Barlow took no notice of the remarks, and the regulations, abolishing the contract, were published.

In the course of communication among the officers this subject became one of primary importance, as materially affecting the relative situations of officers commanding corps, and deeply involving the general

respectability of the service. All the distinctions, which separated the commandant from the subordinate officer, had nearly been removed, and the convulsion among the Natives, in 1806, which was marked by the catastrophe of Vellore, seemed to require that the situation of the European commandant should be maintained rather more distinctly than before. The loss of that consequence, which attached to the supply of camp equipage, was therefore considered in itself to be degrading, and the discussion of the subject produced several circumstances, that tended to throw an additional degree of odium upon the mode that had been adopted for the abolition of the contract. Among those the following were the most prominent.

First. That Lieutenant Colonel Munro, an officer of shorter service, and less experience, than any who had been on the general staff of the Madras army for several years, had procured the Commander in Chief to recommend to Government a plan respecting the chief object of the equipment of troops in the field; which plan was not submitted to the Military Board, by whom all subjects of that description

were, according to the orders of the Court of Directors, and the usage of the service, to be discussed and maturely digested, previous to their coming before Government. This plan was proposed by Lieutenant Colonel Munro, the youngest staff officer, and approved by a Commander in Chief, who had never seen the tents of a corps pitched in India for any other purpose than that of muster; and who, consequently, could not form any judgment of his own.

Secondly. That this plan, thus surreptitiously forwarded, contained an insinuation against the commanding officers of corps in the service, to which Lieutenant Colonel Munro belonged; implying, that the conduct of some, or all, who had held the contract during the six years, gave cause for the observation, that they were capable of keeping back the discipline of their men, in order to derive a pecuniary benefit. The most attentive consideration of the subject did not produce any argument to prove, that the insinuation was by any means necessary to produce the conclusion which the plan proposed; or that the inference intended to be drawn, would be the less direct (as suggested by the Judge

Advocate General) if a compliment instead of an accusation had been conveyed. The argument would have been equally strong, if it had been stated, (as is the case) that, although the experience of six years of the practical effects of the contract afforded a flattering exception, still the general principles that controul human actions, render it true in abstract, that, "By granting the allowance in peace and war, for the equipment of native corps, while the expenses, incidental to that charge, are unavoidably much greater in war than in peace, it places the interest and duty of officers, commanding native corps, in direct opposition to one another. It makes it their interest, &c." But this maxim is brought in as an inference, not from general principles, but from an attentive observation of the practical effects of the system of contract, and is expressly stated to be one of those discoveries which gave Lieutenant Colonel Munro means of forming a better judgment on the subject, than could be formed in the year 1801-2 by General Stewart or Colonel Agnew. The insinuation does not appear to have crept in through inadvertence; it is deliberately

introduced into the body of a memoir, the composition of which is manifestly studied, and the clandestine manner in which it was transmitted to the higher authorities (never having been laid before the members of the Military Board, and it having been purposely omitted from the records of the office of the Commander in Chief's Secretary) seemed to corroborate the opinion, that the obvious meaning of the insinuation was apparent to its author.

Shortly after the promulgation of the order, abolishing the tent contract, Lieutenant General Macdowall received letters, from almost all the officers commanding native corps, representing in terms, adapted to the feelings of each, the stigma which was considered to attach to them individually, seeing that the contract had been abolished for reasons, as set forth in the plan of Lieutenant Colonel Munro, and appealing to the personal experience of the Commander in Chief, and to his authority, for redress against a charge of so serious a nature. To these letters, Lieutenant General Macdowall returned replies, purporting, that the discussion of the subject had taken place before he came to the command—that

the orders on the subject had been prepared without his previous opinion respecting them, and that, as the matter was so far advanced, he deemed it inexpedient to agitate it.

This occurred about July or August, and it was then expected that Lieutenant Colonel Munro, if he did not wish the stigma to remain against the officers of the army, would have addressed the Government, or the Commander in Chief, disavowing the intention imputed to his words, and desiring that such disavowal might be published for the satisfaction of those who felt injured. But, on the contrary, no such public disavowal has ever been made, nor was explanation of any kind given, until after charges had been forwarded against Lieutenant Colonel Munro, and after a sense of mutual danger had united in the same interest, not only those who signed the charges, but all who disapproved of Lieutenant Colonel Munro's conduct. His usurpation of the duties of every department had occasioned much complaint, and as the Government gave unqualified support to him, and communicated only with him, the army gradually confederated together.

The officers commanding corps, finding that no steps were taken to remove the obnoxious insinuations, and considering, that while they remained, an indelible disgrace was cast upon their characters, prepared charges against Lieutenant Colonel Munro, hoping, by a public investigation of the merits of the case, to establish a complete refutation of the stigma cast on them. These charges were forwarded to General Macdowall, with a letter; the charges having been previously signed by a large proportion of officers commanding corps, and the letter by three; viz. Lieutenant Colonels Sentleger, Rumley, and Martin.

The charges were referred to the Judge Advocate General,* who stated objections against the manner and matter of the charges. These objections were, by order of the Commander in Chief, communicated to the officers who had sent in the charges.

This opinion of Lieutenant Colonel Leith having been circulated with much industry all over India, it may be proper to examine it. The following remarks will shew, that his assumed principle is perfectly

* Lieutenant Colonel Leith.

erroneous, and consequently that his whole argument, both as it regards the law of libel and the impunity of official persons, falls to the ground. The Judge Advocate General states, " the following is understood to be the offensive passage:—
 " Thirdly, by granting the same allowance
 " in peace and war, &c." And again he says, " It is to be considered in what capacity the words were spoken; they were
 " given as a general principle for establishing certain laws for the government of a
 " community."

If these sentences, as quoted, were expressive of matter of fact,—in short, if they were true, the conclusion which Lieutenant Colonel Leith has drawn would be decisive of the question; but the fact is otherwise.

The offensive part of Lieutenant Colonel Munro's paper should be stated thus:
 " Six years experience of the practical
 " effects of the existing system of the
 " camp equipage equipment of the Native
 " army, has afforded means of forming a
 " judgment relative to its advantages and
 " efficiency, which were not possessed by
 " the persons who proposed its introduc-

“ tion, and an attentive examination of its
 “ operation during that period of time, has
 “ suggested the following observations
 “ regarding it.

“ First,—The existing system, &c.
 “ Secondly,—That system incurs an ex-
 “ pense, &c. Thirdly,—By granting the
 “ same allowance in peace and war for the
 “ equipment of Native corps, while the
 “ expenses, incidental to that charge, are
 “ unavoidably much greater in war than
 “ in peace; it places the interest and duty
 “ of officers, commanding Native corps, in
 “ direct opposition to one another: it
 “ makes it their interest that their corps
 “ should not be in a state of efficiency fit
 “ for field service; and, therefore, fur-
 “ nishes strong inducements to neglect their
 “ most important duties.”

Now, notwithstanding the opinion of the Judge Advocate General, every man, capable of simple apprehension, must perceive, that the author of the paragraph above, correctly quoted, intended to express, that the subject of this third observation, as well as of the other observations, (six in number) was discovered by him through means that could not be in the possession of

the persons who proposed the introduction of the contract system in the year 1801-2. The observation is not introduced as a general maxim ; it is expressed as applicable to some practical illustration of the crimes specified, that had occurred within the six years to which the introduction alludes. And, indeed, one can hardly suppose, that the imagination of any individual would spontaneously suggest a crime so base, as that of an officer keeping back 1000 soldiers from doing the duty of his country, for the sake of a pecuniary advantage, which, under any system of corruption, could not be great. If Lieut.-Colonels Leith and Munro conceive the officers of the army to be capable of a crime, so heinous against their country, against the character of their profession, and against every principle of honor and honesty, it may be considered fortunate for those gentlemen, that their intercourse, with the officers of the army, is very limited. They must, while in their company, be under perpetual apprehension of meeting the comparatively trifling crime of theft.

This exposition must, in every reasonable mind, remove the impressions which Colonel Leith's opinion is of itself calcu-

lated to produce. For the palpable error, in the premises which he lays down, renders perfectly inapplicable to the present case all the very able and elaborate argument which he has introduced. This error is considered to be purely unintentional; for, although Colonel Leith got an addition to his income of 350 pagodas per month, about this period, it never has, nor can it ever be insinuated, that he had any view towards such a reward, while discharging a duty, for which he already received a liberal monthly salary. To impute to every man every crime that it is possible for him to commit, may, in Colonel Leith's opinion, be a good general principle; but the public must become better versed in the law, than they are at present, before they cease to consider it as a most diabolical one.

The subject of the charges against Lieutenant Colonel Munro, at this period, excited an uncommon degree of interest among the officers of the establishment. The Commander in Chief declared his opinion, that a court martial appeared to him to be the best mode of bringing it to issue, and even recommended to Lieutenant Colonel Munro, that he should not avoid it;

particularly as the officers of H. M. service, the engineers, and the artillery, who were all free from any personal interest in the contract, were sufficiently numerous for the purpose. However, Lieutenant Colonel Munro did avoid a court martial; and it was generally believed, that he did so under a perfect assurance, that, upon the departure of General Macdowall for Europe, the Government would, in a most decided manner, evince their marked displeasure against all who had adopted the unfavourable impressions that prevailed respecting Lieutenant Colonel Munro. That number was evidently very extensive, for the Quarter Master General was now universally shunned. It also was generally believed, that the Judge Advocate General had recommended an immediate attack on Lieutenant Colonels Sentleger, Martin, and Rumley, and had offered to guarantee their dismissal from the service, if they were brought to trial upon charges that he would prefer, and if he were to conduct the trial. These reports did not appear as the vague productions of idlers: they were circulated by those who wished to intimidate the officers, that had sent in the charges; and, though subsequent

transactions authorize the belief, that there was foundation for them, whether correct, or not, they produced the effect of uniting in one interest all who imputed blame to Lieutenant Colonel Munro, and this description comprised the whole army, with very few exceptions. The union was every day strengthened by a variety of circumstances. The conduct of government towards the Commander in Chief hurt the feelings of all military men, already in a state of irritation from a sense of mutual danger. Prudence and self-preservation oblige even the most moderate men to make common cause, when they have reason to apprehend persecution. The heads of all the departments, except the Quarter Master General's, became cyphers, and the military patronage was thrown into a channel, through which few could hope to benefit, unless at the expense of every feeling of pride and of honor.

Lieutenant Colonel Martin, who had, a few months before, procured permission to proceed to Europe, came to Madras in December. No particular notice was taken of him by the Government, and he accordingly took his passage on board the ship Lady Jane Dundas, with the intention

of embarking on the 29th of January, as the ship was expected to sail on that day. But in the night, between the 28th and 29th of January, he received a letter from the Secretary of Government, withdrawing his leave, and prohibiting him from embarking. For this extraordinary measure no reason was assigned ; neither did Colonel Martin, or his friends, suppose that any existed, except the fulfilment of the report that had formerly been circulated, namely, that the absence of General Macdowall, who was to sail on the 29th of January, would now leave Colonel Martin, &c. at the disposal of the Judge Advocate General, and that Colonel Martin was detained to become the first victim to the general cause. This opinion seems to be fully justified by circumstances ; but be that as it may, it was circulated through the army with astonishing rapidity, and produced a very strong sensation, as the danger, which awaited Colonel Martin, was, before he came to the Presidency, considered to be common to all, and his detention was viewed as the signal for commencing the punishment of those, who had presumed to differ from Colonel Munro. The line

was already completely drawn. Colonel Munro, supported by the Judge Advocate General and the government on one side, resolved to overcome the odium that attached to the character of an individual, and to enforce their resolution by the exemplary punishment of those officers, who, from public motives, had stood forward to check, by constitutional means, what to all appeared to be a great arrogance and presumption. On the other side, the whole of the army, with few exceptions, determined to give every support in their power to those officers, which the circumstances of their situation would admit of. The nearer approach of danger operated to strengthen those bonds of union that had been formed throughout the army; and from a report, which at this time obtained general currency, and belief, namely, that Colonel Munro's party had expressed their confidence of being able to follow up the most rigorous measures towards the officers of the Company's army, in consequence of a jealousy which had for some time been *judiciously* promoted between them and the officers of H. M. service. No incident, during the unhappy ferment, had occasioned more irritation than

this. The abominable principle produced an abhorrence towards its supposed authors, that was hardly restrained by the imperious sense of public duty.

The accounts of Colonel Martin's detention, and the two orders of General Macdowall, dated the 25th and 28th January,* reached the out-stations of the army at the same time, and were received with a degree of solicitude, commensurate to the warmth of the feelings that had already been excited. It was known to every part of the army, that General Macdowall had experienced the mortification of receiving almost daily insults to his character, as Commander in Chief, and representative of the principal military authority.† Instances occurred of troops marching, under orders issued by Government, in communication with the Quarter Master General, without the knowledge of the Commander in Chief, until the monthly returns, or some accidental circumstances gave him notice of the movements. On one occasion, a party of troops were embarked at Madras for foreign service, and the Commander in Chief was kept in such perfect ignorance of the object, and intention of this measure, that the first inti-

* Appendix B and C.

† Appendix E.

mation he received of it was from a visitor, who casually mentioned, that he had in the morning seen the troops embark. This fact is stronger than a volume of metaphysical arguments, which may be set up in excuse for it. It was also generally known, that in the month of December a large force was collected, and ordered to march to the frontiers of Travancore, without any intimation of the circumstance being communicated, either privately or officially, to the Commander in Chief, or to the Adjutant General. This occasion was used, as an opportunity, or so deemed and understood, to fulfil the threat, that had been held out against the Honourable Lieutenant Colonel Sentleger, one of the three officers who had signed the letter, accompanying the charges against Lieutenant Colonel Munro. Colonel Sentleger was directed to remain at Trichinopoly with the strength of one troop, (including the sick) and the remainder of his regiment (6th cavalry) was detached along with the other troops from the Southern division ordered to Travancore: the whole placed under the command of an officer, junior to the Honourable Lieutenant Colonel Sentleger, who, in consequence, remonstrated

against the very great injustice done to his character, and applied for a court martial. On learning this, the Government appointed Colonel Sentleger to command the force; thus anticipating the subject of his application, which necessarily met with some delay by going through the Commander in Chief. Frequent references, from the various divisions of the army to head quarters, discovered also to the Commander in Chief and to the officers of the army, that Lieutenant Colonel Munro was in the habit of sending orders, in his own name, to the subordinate officers in the Quarter Master General's department, and requiring reports, &c. for the information of Government without any reference, or allusion, to the Commander in Chief, as the authority under which all military orders should be issued, or as the channel of communication between the Government and the army. This extraordinary proceeding induced General Macdowall to enter on an examination of the subject, for the purpose of ascertaining the relative situations of himself and his staff, with respect to the Government. He found recorded, in the Adjutant General's office, a letter from Earl Cornwallis, Governor

General and Commander in Chief in India, defining the relative situation of Adjutant General. From this letter, bearing date 1789, the following are extracts:

“ I have, therefore, no difficulty in giving a decision on the subject of your reference, that general orders to the whole of the troops employed under the Presidency of Fort St. George, should be distributed from one source only.”

“ The regular authority under which all military orders should be issued, is either that of the officer who may be appointed Commander in Chief by the Court of Directors, or that of the Government itself, if circumstances should render it expedient for the Board to exercise avowedly the functions of that officer.”

“ Before I conclude this letter, I must express my wish that it should be recollected by the civil and military departments at Madras, that the Adjutant General of the Company's troops on that Establishment, cannot, without the greatest irregularity, (unless, as I have already mentioned, the functions of the Commander in Chief should be exercised

“ by the Board) have any direct communication with the civil government.”

In the year 1800, the Commander in Chief at Madras referred to this letter, in a communication which he made to the Adjutant General, and stated as follows :

“ By the clear definition, by Marquis
 “ Cornwallis, of the duty of Adjutant
 “ General, he cannot be at liberty to act
 “ officially, but under the immediate orders
 “ of the officer commanding the army in
 “ chief for the time being, who alone is the
 “ instrument by which Government is to
 “ govern and control the army ; much less
 “ can you be at liberty, as Adjutant General,
 “ to prepare, or communicate, to any
 “ person, or publish to the army, or any
 “ part of it, any orders, or regulations, for
 “ the better government of the army, &c.
 “ carrying into execution all such intentions
 “ of Government as fall to be attended to,
 “ or executed by officers or soldiers of the
 “ army, which have not been previously
 “ issued to you for such purpose, by the
 “ officer commanding the army in chief.”

General Macdowall, upon perusing these documents, and reflecting upon the knowledge he had of military affairs, applied

the reasoning therein expressed, as equally affecting the situation of Quarter Master General; he therefore inferred, that Lieutenant Colonel Munro's conduct was, in the highest degree, presumptuous and unwarrantable; but finding that every act of Colonel Munro was supported by the whole authority of the Government, and being desirous, if possible, to avoid any unpleasant crisis, at a period when he expected shortly to take leave of the army, he did not, at the time, resent the misconduct of one of his own staff. This forbearance, on the part of the Commander in Chief, did not prevent the officers of the army from feeling the insults offered to him; on the contrary, their indignation against the author of those insults was greatly increased.

The general orders by Government, dated 31st of January,* and the 1st of February, proclaiming the suspension of Colonel Capper and Major Boles, because they had complied with the orders of their Commander in Chief, developed the principles upon which the persons holding the supreme authority meant to act towards those who had disapproved of Lieutenant Colonel Munro's conduct; or, in other words,

* Appendix D.

towards the principal part of the officers of the Company's army. And, as General Macdowall was gone, the fate of Colonel Martin seemed to be decided; there being no longer any obstacle to the completion of Colonel Leith's supposed threat. Any injury to Colonel Martin must, under existing circumstances, be considered as an injury to every individual who had concurred in sentiment with him: and, as might be supposed, this common apprehension of danger produced a ferment, exceeding any thing that was ever before experienced among the various stations of the army. Indeed, it is rather a matter of surprise, that some act of open violence did not succeed. Few could contemplate the possibility of regular order subsisting, if the same men continued to rule, and the same measures to be pursued. The general orders of Government professed principles that appeared incompatible with the state of discipline that regulated the army. They not only denied the right of trial by their peers to two respectable officers, charged with military crimes, but held forth the protection against trial to another officer, who had been regularly

impeached; thereby interrupting the operation of the articles of war, and leaving the commissions of every officer in the Company's army at the disposal of the Judge Advocate General. How far the authors of an instrument, which thus set at defiance the laws of their country, may be actually criminal, will, perhaps, be a question for the decision of high authority. As a measure of emergency, its expedience, and its justification, must ultimately rest on the result of an impartial examination of the relative situations and conduct of the parties concerned.

The insinuations conveyed in Government Orders of 31st January,* against the character of General Macdowall, however serious they may be, do not affect the officers of the army; neither can they be supposed to have excited any other sentiment than astonishment, accompanied by the hope, that he may be able fully to justify himself, before his King and his Country. But the case of Major Boles, and of Colonel Capper, as stated in the G. O. 1st February, is far different. It may be applicable at some period to every officer in the army, who at all times is amenable to the penalties of

* Appendix D.

martial law, for disobedience of any military order, which is not *manifestly illegal*, and is now declared to be liable to the loss of his commission for obedience, if his immediate superior shall chance to be unpopular with power. The only compensation for which is an *ex-post-facto* opinion, that the order was illegal, in the judgment of Lieutenant Colonel Leith, who, as has been fully seen, can, with equal ease, support at the same time a proposition and its inverse, not only by sophistry and argument, but by authorities deduced from the laws of the Romans.

Lieutenant Colonel Leith has *proved* the legality, beyond all appeal, of Lieutenant Colonel Munro having, under orders from Sir John Cradock, falsely traduced the character of a considerable number of respectable officers in the service to which Lieutenant Colonel Munro belongs; although Sir J. Cradock was not exercising the function of command, at the time the circumstance came to the knowledge of those officers. And the same Colonel Leith has also *proved* the illegality of Colonel Capper, or Major Boles, having, under the orders of Lieutenant General Macdowall, signed

a reprimand to an individual officer, who had insulted his Commander in Chief, although Lieutenant General Macdowall was at that time exercising all the functions of command, and consequently, by the orders of Marquis Cornwallis, (as well as by the laws of the Romans, quoted by Colonel Leith) neither Colonel Capper, nor Major Boles, could appeal, nor hold any communication with the Civil Government, except through the Commander in Chief; certainly such an undertaking on the part of Colonel Leith merits high reward from those whose purpose it is calculated to answer, but its effect on the officers of the army is deplorable. It effectually annihilates the idea of right or claim to the possession of a commission, and destroys the foundation of equity and justice, upon which military discipline and subordination depend.

The offences, with which Colonel Capper and Major Boles are charged, being expressed in definite terms, every reasonable man can form a judgment respecting them. A passage of the Judge Advocate's opinion on the charges against Colonel Munro, tends strongly to corroborate the

sentiments of Earl Cornwallis, respecting the duty of the general staff of a Commander in Chief; and as Colonel Leith justly observes, "It is to be considered in " what capacity the words were spoken; " they were given as a general principle, " &c." The following are Colonel Leith's words: "The great principle of military " law, as handed down from the most " ancient times, is, *let there be no appeal " in military cases; let the order of the General, who commanded, be taken for just, " and ratified.* Such was the rule of the " Romans, who best understood military " discipline, and this principle we see " adopted in courts of common law." Every person, acquainted with the English language, must, upon reading this quotation, form the same opinion of its meaning. There is no equivocation, no abstract reasoning; the order of the General, who commands, is final, and not liable to appeal by any to whom the execution may be entrusted.—Therefore, the sole responsibility rests with the General, in the Judge Advocate General's able opinion. This principle is applied in justification of Lieutenant Colonel Munro; and an inference is drawn,

purporting, that the order of Sir John Cra-dock to prepare a certain report, relieves the person, to whom the order was given, from all responsibility with regard to the matter that may be contained in the report. However inconsistent this may be with justice, it may be presumed that, coming from Colonel Leith, it is good law; and as the principle upon which it is founded is general, and therefore applicable to other cases, similar in their nature and relations to Colonel Munro's, it will serve as a rule by which to examine the conduct of Major Boles and Colonel Capper. Those officers received from Lieutenant General Macdowall, the Commander in Chief, a general order in his own hand writing, accompanied by a letter, directing that the said general order might be circulated in the usual manner, with as little delay as possible, and assigning the prospect of his early departure as his motive for wishing that expedition should be used. This letter, also, was written and signed by the Commander in Chief. The order of the General who commanded, being, according to Colonel Leith, "just and ratified," "and without appeal," Colonel Capper and Major Boles, *a fortiori*, were

relieved from all responsibility with regard to the matter that was contained in the order; or, supposing that Major Boles and Colonel Capper had refused a compliance with an order of the Commander in Chief, thus peremptory in its nature, that they had been placed under arrest, and brought to trial for such disobedience, Colonel Leith, being the Judge Advocate, can there be any doubt that in such a case, the Judge Advocate would, by the application of the Justinian Code, the articles of war, and the orders of Marquis Cornwallis, have attached to those officers the guilt of one of the highest crimes an officer can be accused of? and that their punishment would have been, perhaps, more severe than that which, at a former stage of this unhappy dissension, was intended for Colonels Sentleger, Martin, and Rumley? Assuredly not.

Yet has Colonel Leith, Judge Advocate General, given a professional opinion (*ex-post-facto*) purporting, that the compliance of Major Boles and Colonel Capper, with the peremptory orders of General Macdowall, was illegal, although General Macdowall was at the time present, and actually exercising all the functions of Commander in

Chief. If this be law, it is probable that the Romans did not practice such, at the period that they decreed, "*Let there be no appeal in military cases; let the order of the General, who commanded, be taken for just, and ratified.*" It is more likely to have been their practice when they were hurrying rapidly down the stream of corruption. "*Facilis descensus averni.*" To the plain reason of military men the inconsistency appears great.

The violent agitation, that prevailed throughout the army, on perceiving, by the Government orders of the 31st January, and 1st February, that Commissions were held merely at the caprice of an individual, could not escape the notice of Government. Every principle, which cherishes the honorable feelings of an officer, was violated. The impossibility of conducting the ordinary duties of the military profession, without the regular advice of counsel, was proclaimed; consequently, the rigid controul, which should pervade the progressive ranks in the army, was declared to be at an end. And on what account is all this convulsion produced? Merely for the purpose of extinguishing, by force, the just indignation,

which an army of officers felt towards an individual; who had wantonly insulted their pride, and injured their feelings: and who had, during several years, exercised great talents, in order to promote dissension between the civil and military departments of the Government; having conducted an animated and continued contest against the Government, during the commands of Generals Stewart and Cradock, for the purpose of extending the prerogatives and patronage of the military commander; and on the succession of Lieutenant General Macdowall to the command, having with admirable address altered the course of his conduct, and denied the right of giving orders to his staff, or being acquainted with the movement of troops to General Macdowall, who had witnessed the effects of the unlimited influence of an individual over his predecessors, and had therefore *imprudently* resolved to preserve his independence from that influence.

The patience and submissiveness of the officers of the Madras army has ever been proverbial; but there is a limit, beyond which ill usage and injury cannot be borne. When every right is invaded, and every

privilege is denied, an insensibility of wrong only serves to prove, that the oppressed are unworthy to possess either rights or privileges. It cannot, therefore, be surprizing that among men of liberal sentiments, possessed of feelings highly honorable, indignation and resentment should be awakened by the cruel and unjustifiable punishment of Col. Capper and Major Boles, as announced in the Government orders of the 31st January, and 1st February, by a review of the events which had progressively led to those orders, and by the prospect of a relentless persecution, the conductors of which were not to be satiated, while one obnoxious victim remained to be immolated. The detention of Colonel Martin shewed that he was marked for their vengeance in the first instance; however, the unequivocal indications of the general feeling on the subject, rendered it extremely probable, that any violent or arbitrary proceedings towards him would drive matters to the last extremity. The Government were, therefore, induced to suspend the proposed measures against him, and, accordingly, directed that Lieutenant Colonel Martin should be reimbursed in the sum of star

pagodas 1,000, for passage money, &c. and that he should be permitted to proceed to England by the first opportunity.

Unhappily, however, it was soon perceived, that the measure of conciliation, which apparently proceeded from a sense of justice, was not the effect of a disposition to tranquillize the ferment that existed, but of a reluctant compliance with necessity. It was accordingly succeeded by rigid proceedings, from which there does not at present appear to be any immediate prospect of relief; the supreme authority in India having given sanction to them. That this sanction has been obtained through misrepresentation, and misstatement, is evident from a passage in the letter of the supreme Government, which was circulated on the coast. That passage states, that the officers, who signed the charges against Lieutenant Colonel Munro, had consented to their being withdrawn, than which nothing can be more unfounded. On the contrary, a letter from one of those officers, appealing to the articles of war, against the opinion of the Judge Advocate General, was one of the immediate causes of the arrest of Lieu-

tenant Colonel Munro, on the 21st of January.

The removal of several officers from their situations at Madras, for which removal no other reason can be assigned, than their objection to hold any unofficial intercourse with Lieutenant Colonel Munro—the removal of battalions from Madras for reasons of the same description—the means by which Sir John Sinclair procured the situation of Commissary at the Arsenal—and various other occurrences which have marked the unhappy interval between the beginning of February and the present eventful period—will form subjects for future communications. This one shall be concluded with an earnest prayer, that a consciousness of their own right, and a firm reliance on the justice and equity of their superiors in England, may enable the officers of the Coast army to bear with fortitude the trial, to which they are exposed, only for a time. Let them reflect, that they have a character already high, and worth preserving by any temporary sacrifice of their personal feelings; and that whatever may be the extent of their just indignation against the individuals, who are the imme-

diate instruments of their oppression, duty to their country requires that it should, for the time, be restrained within those limits, beyond which is nothing but crime, anarchy, and confusion.

ADIEU !

LETTER II.

Madras, 20th June, 1809.

DEAR SIR,

As the narrative addressed to you is intended to convey a simple and correct view of the whole of the circumstances which have conduced to bring the public affairs of this Government to the critical predicament that they are now in, it will be proper, not only that the various events should be detailed in the order in which they occurred, but that the connection between them should be distinctly shewn, as well as the effect which they produced on the public mind.

The transactions of any given period, during this unhappy dissension, cannot, with propriety, be considered, of themselves, to possess any particular character or feature. No correct judgment can be

formed respecting them, unless they be combined with the circumstances in which the parties concerned were placed ; because from those circumstances alone were they produced, and to them alone were they applicable.

From what has been detailed, in the preceding letter, it will be perceived, that a considerable degree of animosity subsisted in the beginning of February. Lieutenant Colonel Munro either had (or was supposed to have) falsely traduced the characters of the officers commanding Native corps in the honourable Company's service; and, although his insinuations did not immediately affect the other officers, it was well known that an acute sense of injury was felt by almost every officer of every rank. Even supposing the relative situation of the army in the State to be very low, still the profession is deemed honourable, and officers are usually treated as gentlemen. It might, therefore, be reasonably supposed, that some consideration would be shewn towards the feelings of those who supposed themselves to be falsely calumniated ; and, as Lieutenant Colonel Munro had not, during six months, disavowed the calumny, that Government would not have interrupted a public inves-

tigation of the subject, without, at the same time, giving some kind of explanation to satisfy the officers of the army, that the insinuation, conveyed in Lieutenant Colonel Munro's paper, was not considered to be applicable to them. No such explanation, however, was given; and the officers of the army naturally drew the conclusion, that no consideration of the claim on the justice of Government, which they considered themselves to possess equally with Colonel Munro, would be allowed to interfere with the full execution of the threat, "That Government would, in the most decided manner, evince their marked displeasure against all, who had adopted the unfavourable impressions respecting Lieutenant Colonel Munro." They saw this disposition manifest itself in the extraordinary, and unprecedented, order, which directed the Hon. Lieutenant Colonel Sentleger to remain at Trichinopoly, while his regiment was sent on service,—in the detention of Lieutenant Colonel Martin, only a few hours before the sailing of his ship,—and in the suspension of Major Boles and Colonel Capper,—they saw the complete removal of the only barrier which could protect them against the

vengeance of Lieutenant Colonel Munro. The possession of a commission became altogether nugatory, if it were liable to be annulled without enquiry, or investigation of any sort; and if the acts annulling it, could be justified by laws framed, (*ex-post-facto*) and by subtle arguments, or metaphysical disquisitions, which, however well they may be calculated for the display of the professional talents of a lawyer, cannot be considered as applicable to practical military law; which most of all requires to be simple and unembarrassed by obscure or ambiguous phraseology.

No man, educated in the military profession, and looking to its laws alone, as the standard by which his conduct and principles were to be regulated, could be capable of defending his honor, his life, or his commission, against the sophistry which has *proved*, to the satisfaction of the superior authorities in India, that Lieutenant Colonel Munro, as principal in his office, was not responsible for the matter contained in a paper, drawn up by himself; and which sophistry has, at the same time, proved, that Major Boles, a deputy in office, was responsible for the matter contained in a

paper drawn up by the Commander in Chief, and transmitted to Major Boles through his immediate principal.

Notwithstanding the pertinacity with which the culpability of Major Boles is maintained in all public edicts of the government, and of the present Commander in Chief of the army, there is much reason to suppose that the arguments of Lieutenant Colonel Leith, and of those who advised the extreme exercise of power in the case of Major Boles, have not produced that clear conviction which just reasoning usually does. It seems rather probable, that a consciousness of the flagrant injustice of a measure, which had been hastily adopted, through the influence of passion and prejudice, occasioned to its authors a species of remorse, which, although it did not dictate a magnanimous requital for the injury, would have assented to a sort of compromise. It would otherwise be difficult indeed to account for a very extraordinary interview, which took place on the 2d of February, at Major Boles's, between that gentleman and a member of the council, composing the government of Madras. The purport of which may be tolerably well

ascertained from notes, which, on the 3rd of February, passed between the former and a third person. From them it appears, that the writer expressed great concern for the distresses to which Major Boles and his family would be exposed by the loss of his commission; and lamented, that his utter ruin must follow the representations which the Madras Government would make to Europe, and that, having a great friendship for Major Boles, he was desirous to avert the evil, and would undertake to become a mediator with Sir G. Barlow, having reason to entertain sanguine hopes of being able to effect the restoration of Major Boles to the service, and to his official situation, if he would make an apology for having signed the order of the Commander in Chief; the member of council at the same time positively affirming, that his interference was entirely unknown to any member of the Government. Major Boles declined complying with the proposed terms, as Sir G. Barlow had, without any enquiry whatsoever, punished him for an act, any objection to which on his part would have merited *death* by the articles of war; he considered it to be impossible, as it would be useless, to

make any appeal to that authority. That, unless the Governor would allow him an opportunity of justifying himself, he could not possibly originate any appeal to him against an act of his own, and it must ever be impossible for him to offer an *apology* for compliance with a peremptory order of the Commander in Chief. Such an act would be a direct violation of the articles of war, as established by law; and it would be derogatory to the character of the Honourable the Court of Directors, to whose equity and justice he confidently looked for relief, against the distresses which his suspension had produced to him, already in debt, and having a family to support.

It may be proper here to mention another manifestation of that species of remorse, which has been mentioned above. On the 29th of January, not many hours after the leave of Lieutenant Colonel Martin had been withdrawn by Government, that officer was called upon by the Judge Advocate General, who told him that the Government were very much incensed at the hostile disposition, which many officers had manifested towards Lieutenant Colonel Munro, whom they were determined to support, and

to punish those who persisted in their opposition to him. That with this view Colonel Martin had been detained, and he might expect to feel the effects of their high displeasure, unless he would apologize for having signed and forwarded the charges, and merely say that he was sorry for the part he had taken in the affair. In which case the Judge Advocate General promised him, that the proceedings against him should be quashed, and he should immediately have leave to proceed on the ships which were expected to sail that night. This proposal, as may be supposed, was received by Lieutenant Colonel Martin with scorn and contempt; conscious that no improper action or motive could be imputed to him, he despised the malice, and defied the perversion, and abuse of power, of which he knew the advisers of the Government to be capable, confiding in the equity of trial, and the justice of the laws of his profession and his country. The presence of General M'Dowal and other causes had hitherto imposed considerable restraint upon the disposition which existed, to bear down and utterly annihilate those grand protectors of the rights of every British soldier and subject.

Incidents, in themselves trifling, at this period acquired great importance, every where under the Madras Government, but particularly at the presidency. The total disregard to all claims, arising from considerations of equity or justice, and a cold, unfeeling perseverance in measures suggested by a set of men, who were guided only by their own interests, or by prejudice, produced, not only among the Military, but in every department of the community, a species of sullen discontent, and despair, which refused all, but the outward forms of respect to the person, or character of the governor; and so universal was this sentiment, that the unhappy state of society became a general topic. Men, whose pursuits and views in life were totally different, felt a mutual sympathy. The gentlemen in the civil service, and those not in the company's employ, felt their grievances to be without the hope of redress; as the system which oppressed them had, by violating the rights, and disregarding the laws of the Military profession, removed the barrier which at once restrains and protects that class of men, in whose hands the physical force of the state rests; and in whom therefore it is most

impolitic to drive into self-preserving unanimity, by affording just cause for complaint and discontent among them; and the Military, seeing that the determined system of the Government, while it annulled the laws of their profession, also deprived their fellow subjects of their civil rights, could no longer hesitate to become unanimous in execrating the injudicious policy from whence it arose.

The measures which excited alarm and discontent among the persons, who compose the general class of society, do not appear to have any immediate reference to the subject of these remarks, limited as they are to the Military question. But the merits of this cause rests not solely on matters of fact; they are chiefly to be deduced from opinion; it therefore becomes material to notice the extrinsic circumstances which gave an impulse to the imagination of Military men. Had the prevailing system given satisfaction to the other orders of society, it is probable the agitation among the Military would never have become so general, or so violent as it did at this time. The impression produced by the arbitrary exercise of power, however sensibly it might at first be felt,

might have subsided, and perhaps be forgotten ; if, in the intercourse of society, any advocates had existed who could approve, or who even could palliate or defend, the measures adopted in any of the various branches of the administration. But, unhappily, this was not the case ; an universal clamour prevailed ; many were injured, all discontented, and the only class of men, not violent against the principles of the Government, were those who from poorness of spirit, or motives of self-interest, either suppressed their sentiments altogether, or used peculiar caution in communicating them. From such men have the principal offices been recently filled. Among many instances of this sort, one is particularly striking, and deserves to be remarked, from the example which it affords of the advantage to be derived from a perfect lubricity of principles. A person, now holding one of the highest situations under the Government, and who professes to be one of the warmest admirers of the present system, did, on the 26th Jan. last, then being at a distant station, give his sentiments, as they then stood, in the following words : speaking of some of the measures of Government, he says “ the authors

“ of this plan of degradation, and useless
 “ expenditure of public money, have *not*
 “ done the state a service ;” and again “ The
 “ system is to degrade Military authority,
 “ and to raise the emblem of a force, that
 “ can bow to civil dictators. The troops
 “ are now instruments of civil law ; and the
 “ Military rank goes no further, than the
 “ Etat Major of a Council of Elders, or in
 “ other words, old women.” These being
 the words of a person, who was relatively
 an advocate for Government, and having been
 used on the 26th of January last, any at-
 tempt to prove that discontent was then
 partial, or confined only to a few at the
 Presidency, must appear equally futile and
 absurd. The whole service, Civil or Military,
 knew that it was universal ; and that an
 apprehension of mutual danger, arising from
 the supposed determination of Government
 to crush all who would not acknowledge
 the supremacy of Lieutenant Colonel Munro,
 had produced an unanimity of sentiment
 throughout the Army, and a confederacy for
 the purpose of mutual preservation.

On the 6th of Feb. the Government of
 Madras issued a general order, professing to
 contain a statement of the circumstances

connected with the arrest and release of Lieutenant Colonel Munro, and there can be no doubt, that a candid exposition of circumstances, even at this late period, might have been of use, by tending to do away the foundation of the odium that existed against Lieutenant Colonel Munro. The order in question could not however have that effect. For, instead of advertng to the real cause of complaint, it affects to misunderstand the particular passage in the report which had given offence, and states, that any enquiry regarding the offensive passage must have involved a discussion of the measures of the principal Civil and Military authorities in this country.

Such an inference is not deducible from any of the premises in the present case. It had already been explicitly declared, that the officers complaining were particularly desirous to avoid any allusion to the general question, regarding Camp-equipage. That any comparison between the former and the present systems of Camp Equipage was unnecessary and entirely irrelevant, in discussing the charges which were laid against Lieutenant Colonel Munro—The discussion of those charges could not, if the president of

the Court Martial knew his duty, extend to any matter that was not requisite in order to substantiate or refute one, or other of the following problems.

First.—Whether the insinuation against the officers commanding Native Corps, as quoted in the former letter, was warranted by their conduct during the period they held the contract.

If the affirmative of this question was proved, the discussion would be at an end, and the charges against Colonel Munro must be thrown out.

Second.—If the insinuation should appear totally groundless and false; whether the insertion of it in the Quarter Master General's paper was necessary, in order to place the subject in a clear point of view, or to produce the conclusion, which Lieutenant Colonel Munro might have been directed to draw forth.

If the affirmative of the second problem were proved, the court martial, or the Commander in Chief, might, with a view to the exculpation of Lieutenant Colonel Munro, deliberate whether he was not justifiable, or at least excusable, in uttering the falsehood, having for its object a compliance with the

order of the Commander in Chief, which, according to Colonel Leith, was to be considered "just and ratified, and without appeal." But if it should appear that the insinuation against the officers commanding native corps did not tend, in any way, to corroborate the arguments which have been used to recommend the abolition of the contract, and that therefore Lieutenant Colonel Munro had wantonly vilified the character of a body of respectable officers, for purposes which no man can avow, it is probable that the court martial, being composed of men, influenced by feelings of honourable pride, would have marked their sense of his conduct in the most decisive manner; and this could have been accomplished, without any allusion whatsoever to the general merits of the report, for which alone any responsibility can rest on the authorities who have severally approved the work. It would be, in the highest degree, absurd to suppose, that a superior authority, by approving a treatise, composed by an inferior, became responsible for the substance of any particular passage, although the purport of that passage were totally irrelevant to the main question, and although the total omission of the passage

would not have weakened the reasoning, or rendered the inference less direct. Yet such hypothesis is necessary, in order to reconcile the position laid down in the G. O. 6th Feb. namely, that an enquiry, respecting a *given passage* in Colonel Munro's report, would have extended to the measures of the authorities, who had approved the general tenor of the report, although this particular passage had not any relation or bearing towards the general result.

One passage in the order of Government deserves to be particularly noticed, from the illustration which it affords of the avowed principles of Government. The passage is as follows :—" In these circumstances, the
 " Quarter-master General could no longer be
 " considered responsible for proceedings so
 " sanctioned ; and it would have been in-
 " consistent with the evident principles of
 " justice, that a public officer should have
 " been liable to the obloquy of a trial for an
 " act not his, but that of his superiors."—
 The doctrine is certainly praiseworthy ; and every one must acknowledge great liberality in the principle, which attaches to the superiors all responsibility for the act of an inferior ; but which becomes theirs by adoption

even, supposing the operation of the principle to be general, and equally applicable to all persons similarly situated. But if, on the contrary, the spirit and letter of this doctrine be directly violated, in the case of Colonel Capper and Major Boles, and that those officers are punished without the *obloquy* of a court martial, as being responsible for the positive act of their superior, the sincerity of the authors of the above-mentioned order will appear doubtful, at least; and men of plain understanding will imagine that their principles, as illustrated by their conduct, do not appear so praiseworthy as they do when publicly proclaimed in orders.

The Order concludes with an injunction, that the question must now be considered as concluded, and the circumstances connected with it consigned to oblivion. It was not, however, possible that a subject, which had engaged the attention of all, and had excited general irritation throughout the army, could be obliterated by the dash of a pen; and in fact, the G. O. 6th Feb. served to add fuel to the flame already spread. For, without any explanation or discussion of the real causes of complaint, it attempts to identify, with the Government itself, the cause of an individual,

who was shunned by every officer who possessed pride or feeling for the character of his profession ; while Colonels Capper and Martin, and Major Boles, officers of great repute, and universally respected, were punished, to the greatest extent that the Government could accomplish, for acts which are considered to be not only justifiable but praiseworthy.

On the 8th of February, the public were surprised by the annunciation of a resolution, passed in Council on that day, ordering the removal of Captain Marshall from the situations of Secretary to the Military Board and Secretary to the Military Fund ; the removal of Mr. Roebuck from the situations of the Paymaster General and Mint Master ; and Mr. R. A. Maitland from the situation of Justice of the Petty Court. The two former were directed to quit the Presidency, *without delay*, and proceed to Vizagapatam, which is about 500 miles distant. This circumstance, totally unexpected and unaccountable as it at first appeared to be, became more surprising, from the difficulty of forming even a conjecture respecting the cause which might reasonably be assigned for inflicting so severe a punishment, at once, on three

individuals, whose professions, pursuits, and situations were so different ; one being a subordinate military officer, who had not hitherto been conspicuous in any way ; another, one of the oldest Company's civil servants ; and the third, a gentleman not in the service, but residing at Madras, under the protection of the Company ; and his conduct had been uniformly such, as to gain him universal esteem in the Settlement, as well as constant attention and respect from the members of all preceding Governments.

A deliberate consideration of the various discussions, then pending at Madras, suggested the causes which had rendered these men obnoxious to the rulers of the day.— Captain Marshall, though in a subordinate situation, had frequent occasion to meet Colonel Munro on duty. However, no unofficial intercourse had, for a long period, taken place between those officers, owing to the incongruity of their dispositions, their principles, and their conduct. The subjects recently agitated at Madras had not tended, in any way, to reconcile the difference of sentiment that existed ; and, in fact, Captain Marshall adopted the same principles which prevailed amongst the great majority of his

brother officers. It was therefore consistent with the principles upon which the Government appeared to act, that he, although bearing a good character, should be degraded from his office and removed from the presidency, in order to make way for a person who would probably speak to Colonel Munro. Previous to his departure, however, he made a modest appeal to Government, in which he stated as follows : “ I trust, I shall be excused for expressing a considerable degree of anxiety, at the displeasure of Government, as evinced in my removal from office, and that a jealousy respecting my character as a servant of the company, will be considered to proceed from motives, honorable to myself, and consistent with the relation in which I stand to my honorable employers, after passing eighteen years in their service.”

“ The serious reduction of salary must necessarily produce considerable inconvenience to me; but the loss of salary is a secondary consideration; I never indulged the hope of attaining that exaltation which riches give; I looked only for the humble honors of a respectable character, and I appeal to the justice of

“ Government to excuse the earnestness
 “ with which I solicit to be informed, in
 “ what part of my conduct I have given
 “ cause for the severe measure, which, what-
 “ ever be the effect, is evidently calculated
 “ to deprive me of my good name, in the
 “ absence of which, no wealth could make
 “ me rich.”

The appeal was however vain; it was
 treated with contemptuous silence; and no
 reason has even yet been assigned for the
 removal of Captain Marshall from Madras.
 This event, which, in ordinary times, would
 not be considered of any general moment,
 acquired, at this period, great importance,
 for it tended to confirm the general belief,
 that Government were resolved to pursue
 to the utmost, every individual who had
 become obnoxious to Colonel Munro, with-
 out regard to general character, length of
 service, or other qualification, which is
 usually considered to confer upon individuals
 a right to the protection of Government.
 Even the most moderate among the officers,
 and those who had been desirous to divert
 the attention of the public from the imme-
 diate causes of complaint, could no longer
 discover any chance of preserving the most

respectable part of the army from arbitrary prosecution and cruel punishment, while things continued to be administered according to a system, which was not to be controlled by the laws of the land, or by any appeal to the ordinary dictates of reason, equity, or justice. Of this disposition an ample illustration is thought to be afforded, in the orders respecting Messrs. Roebuck and Maitland. The whole particulars of this extraordinary transaction would of themselves form an interesting detail. They are, however, only partly connected with the present subject; and it will be sufficient to notice that these gentlemen were acknowledged creditors of the Nabob of the Carnatic to a very large amount, and knowing that bonds had been forged to an enormous extent, and that the security of their property would be injured, in proportion as the forged bonds were admitted, they instituted, in the Supreme Court, at Madras, various suits against persons supposed to be concerned in forging sundry of these bonds. They had already obtained two verdicts from the several juries, and although the Advocate and Solicitor of the Company defended the persons who were con-

victed of forging and perjury, the *bonâ fide* creditors did nevertheless persist in appealing to the laws of their country for the preservation of their property. As no public reason was assigned for the act of their removal from office, the cause was imagined to arise, but erroneously perhaps, out of the part they took in these proceedings. This circumstance, it is true, has no immediate reference to the military question, but it will not be difficult for any to conceive that the punishment of two respectable men, under the prevalent impressions, could not be contemplated with indifference by Britons. It will not require any argument to prove, that such a circumstance was calculated to exasperate feelings already highly irritated, and that, connected as it was with the punishment of Captain Marshall, both having occurred in the same Council, and both reaching the public at the same time, the officers of the army should have perceived in it a further confirmation of the suspicion, that the common laws of the land could not afford any protection to those whom the advisers of the Government wished to overwhelm.

The foregoing facts have been intro-

duced merely for the purpose of shewing, that causes existed for universal disgust, though the advisers of Government have continually persisted to deceive the superior authorities, by representing, that the discontent was partial, and confined only to a few individuals. It may be proper to notice certain facts which afford conclusive evidence of the entire falsehood of such assertion.

On the 13th of February, Lieutenant Colonel Munro signified to the officers of the Institution, (an establishment lately formed for the instruction of young officers) that he heard they had expelled one of the members from their society, "because he had attended at an entertainment given at the Government House," and in such case desired that they would withdraw their proceedings against that gentleman; in failure of which they would be ordered to quit the Institution, and to join their corps. The gentlemen replied, that the regulations of the service, Para. 9th, allow "to officers, "in common with other gentlemen, the "privilege of making their own choice of "companions, for their private society," and as they felt averse to hold further

acquaintance with the gentleman in question, they conceived they were justified in the measures they had taken, in consequence of which they (18 officers) were sent to their corps by the following general orders:

" Fort St. George, 18th, February, 1809.

" G. O. by Government :

" The Commander in Chief
 " having brought under the attention of
 " the Honourable the Governor in Council,
 " the recent irregular conduct of the fol-
 " lowing officers of the junior class of the
 " Military Institution, the Governor in Coun-
 " cil directs that they do join their corps
 " without delay."

[Here follow the names of 18 officers.]

Although the name of the Commander in Chief appears in the foregoing order, it was in a few days discovered, that he had not even been made acquainted with the circumstances; at least so he declared, on the occasion of a reference that was made to him by some of the young men. Previous to the publication of the foregoing order, a communication was made to the gentlemen of the Institution, by a Field officer, purporting, that if they would pro-

mise to go to the next entertainment at the Government House, the proceedings against them would be discontinued; but, otherwise, that they might expect to be severely punished. They however declined complying with these terms. Trifling as this occurrence must appear, in the general view of the great events which this period teems with, it deserves particular notice on account of the consequences it produced, and the inferences which may be drawn from it. It affords incontestible proof, that the feeling of discontent and dissatisfaction towards the Government was not confined to a few. In such a case it is impossible to suppose, that out of nineteen young men, attached to a corps that is under the especial patronage of the Governor and the Quarter Master General, only one person would go to a public entertainment given at the Government House; or that the others, if the feeling was not general, should venture to mark their disapprobation in the decided manner they did. This transaction also serves to shew, that the appeal of the officers to the regulations of the service, as established by Earl Cornwallis, was totally disregarded; and that officers in the army were liable to

be punished, if they presumed to exercise their own judgment in the choice of associates, or private acquaintances.

It seems scarcely credible, that so preposterous a doctrine should have been publicly avowed and sanctioned by the Government; but the letters* which passed on the subject are still extant, and have, on many occasions, been produced, in order to overcome the incredulity of persons to whom the circumstances have been related, at almost every station of the army. For those young men, highly irritated as they must have been at the recent transactions which they had witnessed at Madras, and particularly at the treatment they had themselves received, were separated, and sent to the various corps to which they belonged, thus effectually disseminating (if they had not already been general) those opinions which are still said to have been confined to a few individuals.

It is a matter of great wonder, that the unequivocal proofs of discontent, which the occurrences of every day afforded, did not suggest to those who were the objects of it, the expediency either of removing the causes of it, by revising the unjust and

* Vide Appendix H.

unreasonable acts that had produced it, or even of endeavouring to prevent its increase by appearing to consult the feelings and the just rights of men, at least in those matters, where the right of choice cannot reasonably be denied. But, unfortunately, those who ruled, and those who advised, intoxicated by power, blinded by prejudice, and impelled by ambition, were not satisfied by the forms of respect and obedience which public duty required, and which never were denied. The indignation of the officers of the army appeared now to have reached such a height, that some desperate act of resentment was expected. The resignation of the Company's service was in contemplation among large bodies of officers; but this measure would have inflicted a severe wound upon their country and their masters, from whom they had received no injury, towards whom their attachment was unabated and firm, and for whose decision they would have waited patiently, had not the continued accumulation of injury and insult exhausted their forbearance. At this period, when a large proportion of the army was carrying on warlike operations in the Travancore country, the resignation of

even a small number of officers must have occasioned great embarrassment to the Government, and might have produced fatal consequences to the mother country. It is, therefore, fortunate for the State, and creditable to the army, that nothing of the kind has yet taken place.

Some late acts of the Government appear to have excited great commotion in the minds of the officers of the army, and to have resuscitated, with increased violence, that flame which had in some degree subsided. Recent accounts from the army at Hyderabad and Jaulnah, mention that injudicious and indelicate allusion in a late G. O. to the conduct observed by the troops at those stations, has given the greatest offence; in short, the aspect of affairs is now truly awful. A fatal perverseness seems to controul every act of the Government, and to prevent the dispositions of the most moderate and temperate men from becoming useful towards the restoration of peace and good understanding. Those blessings seem to be receding from us; and, unless some speedy and decisive measures be adopted, by that authority which alone can now effectually mediate between the Gover-

nor and the Army of Madras, the opportunity of conciliating may pass by.

The particulars of the G. O. and of the measures it has given rise to, should not be anticipated ; for various intervening occurrences still remain. The next communication shall, therefore, resume the narrative from the period when General Gowdie came to the Presidency.

ADIEU !

LETTER III.

Madras, 30th June, 1809.

DEAR SIR,

It will be observed that the circumstances noticed in the foregoing letters, and all the measures adopted by the Government of Madras, either affecting the army collectively, or directed more immediately against those individuals who were actuated by a desire to vindicate the honor of the profession, proceeded under the authority, and directly in the name of the Governor in Council. The name of the Commander in Chief is, indeed, introduced on the occasion when the gentlemen of the

Institution are rebuked for declining to go to the public entertainment at the Governor's. But it is perfectly well known, that he was altogether innocent of any concern in that extraordinary transaction ; the result of which, however, served to prove, that his services were available by the enemies of General Macdowall, who possessed power, and therefore must be right. General Gowdie arrived at Madras on the 17th February ; and, shortly after his final interview with Sir G. Barlow, he made to Major Boles a proposal, similar in substance, and in effect, to that which had before been made by a Member of Council, viz. that Major Boles should be restored to the service, and to his appointment, if he would only say that he *was sorry* for having obeyed the orders of General Macdowall on the 28th January. No circumstance had occurred to alter the state of the case ; and, consequently, Major Boles excused himself in the same way that he had done before, adding, that he really could not say he was sorry for any thing that had passed, having done only his duty, and relying on the justice of his superiors, for an ample requital of the injuries that had been done him.

It will be proper to bear in mind the terms used by Major Boles in his reply, and the circumstances under which they were applied; for it will be seen, in the sequel, that the import of those terms has since been most shamefully misrepresented, in order to attach to Major Boles an imputation which is totally irreconcilable either with his general character, or with the conduct he has observed since the commencement of this discussion.

It is not likely that, under any circumstances, Major General Gowdie could have possessed much influence in the army; he had, indeed, acquired a high character for bravery, on actual service in the field, but certain well-known transactions had not rendered him popular. Independently of this, the relation in which the Major General stood with respect to the Government, and to those nominally his staff, rendered quite nugatory any attempt of his to controul or direct the opinion of individuals. However, the unexpected exaltation to the chief command, seems to have drawn a veil over all circumstances anterior to that period; and to have conferred on General Gowdie, in his own opinion, and that of the Gover-

nor, a power to guide the judgments of officers, not only in matters appertaining to their profession, but also in subjects of general import. The right of a Commander in Chief to direct the actions and words of all under him in military affairs, cannot for a moment be questioned, particularly in the Madras army, famed for its submissiveness. The suggestion of a doubt regarding the military powers of a Commander in Chief would at any former period have been universally reprehended ; but the fate of Colonel Capper and Major Boles, and the comments which had appeared in the Government orders, subsequent to the 31st of January, respecting the conduct of those officers, had introduced a certain laxity of principle on this subject, which gave rise to various discussions regarding the legality, the propriety, or even the necessity, which might occasionally exist for particular orders.

A few days after the arrival of General Gowdie at Madras, an occurrence took place which afforded to Sir G. Barlow, and General Gowdie, an opportunity of ascertaining, in the most unequivocal manner, the sentiments of officers towards the person of the Governor ; and at the same time the feeling which

they bore towards the authority delegated by the Governor to the Commander in Chief.

Sir G. Barlow, unadvisedly relying on that appearance of respect which was manifested towards the situations of Governor and Commander in Chief, disregarded, and attempted to treat with indifference, the actual sentiments of a set of men whom habitual subordination renders for the most part passive, and who, therefore, seldom form an unanimous opinion adverse to their superiors, except upon the grounds of self-preservation, either from injury or insult. Fortunate would it have been for his country, for his employers, and for the Madras army, if Sir G. Barlow had taken measures to remove the grounds of discontent which existed in the present instance, or even if he had not acted in such a manner as served gradually to render more than irritable the sense of wrong. Although perfectly aware that no officer except those holding situations at the will of the Government, or Colonel Munro, would voluntarily go to the private dwelling-house of the Governor and his family, where Colonel Munro was frequently to be met, Sir G. Barlow sent cards, invit-

ing the officers of a regiment, in Fort St. George, (about 50 in number) to dinner, on the 1st of March; he, at the same time, invited the officers of a battalion of the 18th regiment to dinner on the 4th of March; the greatest part of the officers of both corps sent apologies, couched in the usual terms for not accepting the invitation. This circumstance, (particularly as the greatest part of the officers were not in the company's service) affords conclusive evidence, if any were wanting, that the disgust at the measures of Sir G. Barlow, was not confined to a few individuals of the Company's service; however, as the consequences of it refer to the present subject, it may be proper to notice them. Between men in equal circumstances, an occurrence of this description would either be considered in the light of a direct insult, and resented as such, or it would be altogether overlooked; but, considering the relative situations of the parties in the present case, the same reasons appear to point out still more strongly, the propriety of avoiding all discussion, which could tend to depreciate the already-fallen dignity of the person representing the chief authority.

But, unfortunately, the same fatality which had produced several previous blunders, now added a principal one.

In order to prevail upon the officers who had sent apologies, *to consent to dine at the Governor's*, various threats and promises were conveyed from the Governor to them, through the medium of Lieutenant Colonel Barclay, who had, through his diligence in offices of this description, acquired a degree of confidence, which the appearances for some time after Sir G.'s arrival rendered very improbable. His efforts, however, on this occasion, proving ineffectual, he was directed to apply for the assistance of Major General Gowdie; and the extraordinary phenomenon was exhibited, of the chief Commander of an army of 80,000 men using the influence which his situation gave him, to induce the officers of two corps to dine at Sir G. Barlow's, after their having signified their disinclination to accept of his invitation; and after their refusal had thus been so public, that it served as a topic throughout the Settlement. The general arguments used by the Commander in Chief were answered by an unanimous voice, that if the acceptance of the invitation were considered

as military, or if he, General Gowdie, would give an order that it should be accepted, the whole of the officers would go; but if it were to be considered optional, and they had the right to decide for themselves, their apologies should not be withdrawn. At last, after two days discussion, General Gowdie told the officers of the corps, in the Fort, that he was himself to dine at the Governor's on the 1st of March, and if they declined going to meet him, he should consider not only that they treated him with slight, but that they were abettors of the general discontent, which he stated to prevail among the officers of the Company's army.

Such imputations being totally unfounded, and likely to injure the officers in question, they did not longer hesitate to accept the invitation, and they accordingly performed the duty of attending at Sir G. Barlow's house, at dinner-time, on the 1st of March.

The officers of the 18th regiment, however, did not go on the 4th. The same arguments were not used to them; and they had, only a few days before, on their arrival in the garrison, manifested their

respect for the public character of the Governor, by waiting on him, when the Commandant, Lieutenant Colonel M'Caully, introduced them severally to Sir G. Barlow. They therefore urged, that their declining to go to the Garden-house could not be construed into a disposition to treat with disrespect the public authority. If such an idea existed, they were ready to accept of the invitation, in compliance with any order which General Gowdie might be pleased to give to that effect. No such order was, however, given, and they consequently did not go. But they were required to make an apology, which they did, by stating, in unequivocal terms, that, in declining to accept Sir G. Barlow's invitation, they did not intend any disrespect towards the public character of the Governor; but, on the contrary, imagined that they were exercising a right which might be exercised with impunity by all gentlemen in society. This was very unfavourably received; and it was generally reported, and believed, that General Gowdie had told Colonel M'Caully, that, although he himself had not declined to go to the Governor's, he was censurable for not having prevailed on his officers

to go; and that the corps should be sent to one of the most distant stations.— At a future period it will not be credited that such a seeming abuse of power could be imputable to the character of a British subject to whom it was delegated. But, unhappily, there are too many evidences that irritating measures of this description have been most wantonly resorted to; and that the pride of the officers, under the Madras Government, has been trifled with and insulted to a degree that will not be credited by their friends and fellow-subjects in Britain. On the 25th of February, General Gowdie informed Major Lindsey, that his corps, the 2d of the 11th, was ordered to quit the Presidency immediately, as the conduct of the officers was disapproved by the Governor. Major Lindsey, astonished at this communication, requested to be informed how the officers had given offence, for he knew them to be a very reputable set of young men, and was not aware of any impropriety that could be imputed to them. General Gowdie acquainted him, that Sir G. Barlow had learned, that Major Boles had, some days before, dined at the mess of the 11th; and that, therefore, the corps must

quit the Presidency, as Sir G. was resolved to shew his disapprobation towards those who gave any countenance to Major Boles. In reply to this, Major Lindsey observed, that the officers of the 11th could not be aware of any impropriety in admitting to their mess an old, and much-respected brother officer, more especially as Major Boles had, since his suspension, been invited to, and dined at, the messes of his Majesty's Royal Regiment, and of the Artillery. This remark was totally disregarded, and the corps marched towards Vellore, on the 27th. The universal anxiety that prevailed at this period, rendered every event of this description highly interesting; consequently the reports of them spread quickly, and every circumstance which could render the tyrannical abuse of power more disgusting, was presented to the imagination in the most lively colours.

The hardship of Colonel M'Caully's case was contemplated with mixed feelings of horror and indignation. This officer had served the company, faithfully and honorably, for 30 years; and now, at an advanced period of life, with a large family to support, and without any other property than his

monthly pay, he was condemned to undertake a long and expensive journey, accompanied by those most dear to him, to a station, from whence there is little probability that they will all ever return. Those acquainted with military affairs will not perceive any particular hardship in an officer being obliged to go, in the routine of his profession, to a station, whether healthy or otherwise, which must be occupied by some portion of troops; but no perversion of the term can ever justify the circumstances under which Colonel M'Caully was sent to a post, selected, as the Commander in Chief said, because it was very distant, and rendered more eligible by the recent accounts which represented it to be so unhealthy, that many had already died, and general sickness prevailed in such a degree, that the officer then in command requested permission to evacuate it. To the feelings naturally produced by this extraordinary circumstance, there was added the surprise of all who had known the character which General Gowdie had borne; they did not suppose it possible that he, who had brought up a large family, and who was, perhaps, indebted to that family for the tranquillity with which

he passed some of the stages of his career, could ever be induced to be the organ and instrument of a gross act of injustice towards an old and meritorious officer, whom he had known as a boy in the service, and who now possessed, equally with himself, all those claims on humanity which arise from the dependence of a family. Yet did General Gowdie (as yet) seem to wish it to be understood that these measures originated with himself. The disposition to persecute Major Boles, to drive him even from the society of his brother officers, by punishing those who shewed him any attention, cannot be accounted for by any of the principles which men acknowledge themselves to be actuated by. He had studiously avoided every means of attracting the attention of the public to his peculiarly hard situation; and if the circumstances of it drew from a generous community the tribute of respect, and commiseration, it would have been more seemly in his enemies, powerful as they are, to have avoided, by all means, the appearance of that pitiful malignity, which seeks, as its only preservative, the utter destruction of those whom it has injured. But they, judging that the means of appeal were very

distant, and that their own representations, if not refuted by the opposite party, would probably produce a decision which must be favorable to themselves, used every means to oppose such refutation; and relying upon the success which their unlimited power enabled them to command, they wantonly indulged their most rancorous prejudices, and trampled on those rules which, in England, are indispensable to the most hackneyed politician.

In the infancy of British India, such measures on the part of the rulers might have been successful, and might have passed without remark. The community consisted, for the most part, of adventurers; the leading individuals of whom derived their greatest advantages from certain abuses, the indulgence of which was to be purchased only by the sacrifice of those feelings, and of that independent pride, which the constitution allows every honest Briton to enjoy *in his native country*; but at this time they were equally injudicious, as they were inadequate to the objects of their authors. For they, whom an Indian Governor now rules, being generally men of education and acquirements, who have formed their ideas

of society, at a period which has afforded to all the civilized world most conclusive proofs of the advantages which a comparatively small state derives from allowing each individual the enjoyment of those privileges that are necessary to the maintenance of his rank in the community; such men cannot endure, beyond a very limited extent, the tyrannical, or the corrupt abuse of power, or the wanton indulgence of malignant prejudice. This unhappy contest does not exhibit the efforts of an upright Government, opposing the extravagant views of ambitious adventurers; who, goaded by necessity, and desirous to promote a change which may benefit, but cannot deteriorate their situation; on the contrary, it will be seen, that every individual, who has hitherto suffered by the exercise of the power of the present Government of Madras, was in actual enjoyment of a situation of emolument and advantage, to which the greatest part of them had, under former Governors, been promoted on account of the good reputations which they bore, and not through the influence of powerful connexions; the names of Cooke, Kippen, Conway, Sinclair, &c. will, to those who are acquainted with

the modern history of Madras, afford a pretty good criterion by which a judgment may be formed respecting the principles which at present regulate the selections for honorable distinction. After the removal of the officers of the Institution, and of the 1st battalion of the 18th, for not going to Sir G. Barlow's entertainment, and that of the 2nd battalion, 11th regiment, because Major Boles had dined at their mess, matters continued tolerably quiet, and the community, though under the awful apprehension of the increased effects of the disposition which the Governor had manifested, indulged a hope that the number, and the respectability, of the victims who had been sacrificed on account of favouritism, would be considered sufficient to appease the wrath of its powerful supporter. Had this been the case, it is probable that matters might have gradually settled into tranquillity; and, although it had become impossible that a good understanding should ever subsist between Sir G. Barlow and the great body of the officers of the army, that the latter would have patiently waited for a decision by the superior authority in India, or by the sovereign authorities in Europe; but the

fallacious calm of a few days was, about the middle of March, interrupted by an act of the Governor, bearing the same complexion with those that have been already noticed; and therefore occasioning a general irritation, the more violent as it had been for a time restrained. At this time, Sir G. Barlow signified his intention of immediately removing from the Presidency Major Macdowall, the Deputy Adjutant General of the Army, Lieutenant Stock, Deputy Secretary of the Military Board, and several civilians. Proscriptions had now become so common, that the term *Convict* was familiarly applied to those who were found too honest to remain in the immediate precincts of the seat of Government. The civil Convicts, on the present occasion, consisted chiefly of gentlemen who had unfortunately been selected as jurors on the famous trials of Mr. Batley and Reddy Row, or who had been so imprudent as to avow, on that subject, and the military question, opinions suggested by the nature of the case. The cause of Major Macdowall's removal was not at first so apparent; this officer had ever been distinguished for his prudence, and the propriety of his conduct, in every situation that he had hitherto

filled; he had been particularly selected by General Gowdie, to fill the situation vacated by the dismissal of Major Boles; and the nomination had been highly approved by the Governor, at a period only one month prior to that now under discussion; in short, considering Major Macdowall's character, and the circumstances of his present situation, it was supposed that he was one of those least likely to suffer in the general havoc which had been denounced, and was expected to fall upon the officers of the army. However, being informed of the intentions of the Government towards him, he, on the 24th March, addressed a letter to the Honourable Sir G. Barlow, in which he states, that, during the time he had held the situation, he had endeavoured, with unwearied assiduity, to afford satisfaction: that General Gowdie had expressed his entire approbation of every part of his conduct, but that he feared some misapprehension existed which gave rise to the intention of removing him; he therefore requests he may be informed of the cause, in order that enquiry may be instituted, and explanation afforded. To this appeal, Major Macdowall did not receive any answer; for, according

to the phraseology, which had been recently adopted, it was not deemed expedient that any reason should be assigned for the measures of Government. It would have been fortunate if reason had been consulted in forming their measures; then would explanations not have been required, neither would complaints have been necessary.

Major Macdowall also addressed a letter on the same subject to General Gowdie, to which he received the following reply :

“ MY DEAR SIR,

I have received your letter of the 24th, and can, with the greatest truth, declare, that your conduct, while Deputy Adjutant General under me, has given me the utmost satisfaction; and I must sincerely regret that existing circumstances, of which I am not competent to judge, has deprived me of the services of a man of such sterling ability, for whom I have the strongest personal esteem and regard.

“ I am, my dear Sir,

“ Your stedfast friend,

(Signed) “ F. GOWDIE.

“ *Madras, 25th March, 1809.*

“ *Capt. J. Macdowall.*”

The foregoing letter is not introduced for the purpose of making any remark on the style, or the orthographical merits which it possesses, but because it affords sufficient proof of the relative situation of a Commander in Chief at Madras, at this time ; when a person, holding that high situation, declares himself to be incompetent to judge of the circumstances which had deprived him of the services of an officer whose abilities he considered respectable, and for whom he entertained strong personal esteem and regard. It must be inferred either that he was kept in total ignorance of those circumstances, or that, if communicated to him, he was required to suspend his judgment altogether, even in matters most important to the discharge of the trust reposed in him. The situation of Deputy Adjutant General has always been one of considerable importance ; for although, in the presence of his principal, the Deputy bore no immediate responsibility, it frequently occurred that the absence of the principal vested the Deputy with the full and exclusive charge of the office. This was particularly the case with Major M. The Adjutant General, Colonel Capper, and the former Deputy, Major Boles, had been removed ; Lieutenant

Colonel Cappage, it is true, had been nominated to the office, but he was in Travancore, far distant from the Presidency ; no accounts had been received from him, and, indeed, there was much reason to suppose, that he would not readily accept, nay, that he would altogether decline, to hold a situation which must be disgraceful, and disreputable, if Colonel Munro, the Quarter Master General, was allowed to continue to meddle with, and derange every department of the office. Thus Major Macdowall was the only person to whom General Gowdie, himself a stranger to detail, could refer on all points relative to recruiting, discipline, courts martial, or clothing of the army, and all other matters belonging to the department of Adjutant General ; yet he was deprived of the services of such a man, at such a time, for reasons that he was either altogether ignorant of, or that he was not competent to judge of. It, however, appeared from some expressions which the General used, when discussing this matter, that the true reason of Major Macdowall's removal, was his refusal to hold any communication with Colonel Munro, except on subjects connected with public duty. He had been induced to form this resolution

from an intimate knowledge of the recent transaction in which Colonel Munro had borne so conspicuous a part; and, being a man of strict probity and honour, he would not, by threats or promises, be prevailed upon to abandon what he had adopted from principle; his removal was therefore deemed expedient, in order that a machine of more plastic materials might be placed in his room. The degradation of Lieutenant Stock was equally without excuse; his correctness and assiduity in his public duty, as well as the uprightness and integrity of his private character, had gained this officer the respect and regard of all who knew him; and he had every prospect of rising to distinction on the Staff of the army, had not his situation exposed him to the necessity of making a choice whether to consult his interest at the expense of every feeling of pride and honour, or to follow the dictates of the independent spirit of a gentleman, equally fearless and careless of the result. Although no admirer of the principles (or more properly) the rules which guided the conduct of Colonel Munro, Lieutenant Stock nevertheless continued to observe the forms of acquaintance with that character, until the period when the interference of the

superior authority shielded him from the impending dangers of public enquiry, and justice ; then, finding that Colonel Munro had eagerly availed himself of the screen, and when concealed behind it, had employed himself in turning against the most respectable of his brother officers, that power which had saved himself, Lieutenant Stock deemed it unworthy of his character as a gentleman, and an officer, to hold any further intercourse with him. His removal appears to have been resolved on, and his place was filled by a Mr. Maclean, who is looked upon to be one of the most staunch of Colonel Munro's new friends, as not being likely to declinespeaking to him, under any circumstances, so long as the Colonel retains the power either to serve or to injure him.

Such instances of the abuse of power, and total dereliction of the forms of decency, and of the appearance of justice, which respect to the opinion of the world induces even the boldest and most unprincipled rulers to observe, could not fail to increase the odium, and to render more rancorous, the detestation with which the public viewed the authors of these measures. At every station of the army the Convicts, as they

were called, were received with enthusiastic marks of respect and admiration. They were all men of good reputation, and having made willing sacrifice of all their temporal interests, and personal views, in order to preserve their principles and their honor, they were hailed as innocent and much honoured victims, immolated on the altar of a cabal, who had endeavoured to introduce a system of tyranny and corruption, more base and vile than any that could be found in the records of British India. Such was the language that was imprudently used in every society; and those who filled the parts of delators and spies had abundant means of manifesting their diligence. But the employment of such people was more likely to increase than correct the evil; the presence of spies and tale-bearers rather irritate those whom they are intended to restrain; and their existence, by proving the impurity of the system that maintains them, serves only to increase the want of respect, and the detestation from which their employers seek protection in them. A radical change in the system, or a removal of some of the causes of uneasiness, could alone assuage the discontent, or appease the irritation, that had thus been wantonly cherished,

and gradually matured almost into an open schism. The hope that any reformation would originate at Madras, was nearly extinct; and those who had looked with sanguine expectations, to the good effects which might have been produced by the active interference of the supreme Government, experienced the most serious disappointment, from a communication which proved, that the Governor General had been grossly deceived, and that he had adopted opinions which precluded all prospect that he would either institute any enquiry respecting the causes which had led to the embarrassments, of which Sir George Barlow complained, or that he would, by the exercise of his authority, prevent any further discussion on one side, or prosecution on the other.

It is highly probable, that, at the period to which the narrative is now arrived, the interposition of the immediate authority of the Governor General would have been fully effectual. At all events, the same measures would have had greater weight at that period than at any subsequent one. Indeed, the infatuation on both sides appears already to have proceeded to such length, that it seems

doubtful whether any thing short of the presence of the Governor General could now restore even moderation. Instead of benefiting by the experience which the effects of his former acts have afforded, Sir George Barlow now appears to have lost the recollection of what has passed, and all sensibility to what is passing around him; he seems to have put his judgment into commission, and distrusting his own mental powers, exercised hitherto on foreign subjects, to depend implicitly on external advice. Much of his attention having been given to the study of the Hindoo and Mohammedan systems of jurisprudence, and to the formation of regulations for the Government of Asiatics, among whom the name of liberty is not understood, neither has the idea existed for ages; it would seem that this study has obliterated what he may ever have known of the characters and dispositions of his fellow subjects of Britain, whose ancestors, after they had submitted to the Roman Government, were described by Tacitus in words to the following effect: "The Britons are
 " a people who pay their taxes and obey the
 " laws with pleasure, *provided no arbitrary*
 " *and illegal demands are made upon them ;*

“ but these they cannot bear without the
“ greatest impatience, for they are only
“ reduced to the state of subjects, not of
“ slaves.”

That Britons of the 19th century are equally free, and equally impatient of arbitrary and illegal impositions, as were their ancestors of the 2nd or 3rd century, is a fact that will not be doubted by any except those, who may have allowed the study of foreign constitutions to eradicate from their minds the knowledge of that of their own country. The sentiments of the Governor General respecting the state of affairs at Madras, were, in the month of March, communicated to the several stations under the Madras Government, to each of which an extract of a letter from the supreme Government, dated 20th February, 1809, was sent for general information. In this letter the conduct of General Macdowall is severely reprehended, and it is stated “ that the impropriety of his conduct has been aggravated by his placing Colonel Munro under arrest, after the Judge Advocate General’s official declaration of the illegality of the charges, and by his refusal to take off the arrest, after the

officers who had so irregularly and discredibly preferred the charges against Colonel Munro had, in consequence of the Judge Advocate General's declared sentiments, regarding their illegality, requested the Commander in Chief to suspend the prosecution of them." Some further animadversions on the conduct of General Macdowall, and an unequivocal approbation of the steps which the Madras Government adopted towards that officer, compose the whole of the extract. Not a word is mentioned respecting the dismissal from office, and the suspension of Colonel Capper and Major Boles. From this it appeared evident, that, although Lord Minto could not approve of the measures which had been adopted towards those officers, detailed as they were only by the opposite party, and represented no doubt in colours the most favourable to the cause of that party, still he had received, with full force, the impressions which it was the interest of the local Government to convey, respecting the motives and the conduct of General Macdowall; and, acting under those impressions, had assumed a prejudice on the subject, which must render it every day more difficult for him to view the question with impar-

tiality. This prejudice, or this impression, (or whatever it may be called) appears to have prevented the Governor General from hazarding any remark respecting the cases of Colonel Capper and Major Boles, being desirous not to disapprove, even when he could not applaud. The officers of the Madras Army therefore perceived, that the cause of those much-injured men, which was in effect the cause of every man holding a commission in the Company's Service, was utterly disregarded; they learned, with the deepest concern and uneasiness, that there were no hopes of redress from that quarter, to which alone they could have looked with any prospect of success. For it were vain to expect consideration from their more immediate superiors, at this instant, deceived as they were by a set of men, whose powers, and whose enormous emoluments, had been derived from, and were supported by, the same causes, that injured and alienated the minds of the most respectable part of the community.

It is not easy to account for the hardihood with which the enemies of General Macdowall endeavoured to crush him, by using misrepresentation, the falsehood of

which it must be impossible for them to conceal, however they may prevaricate and disguise it. From the letter of the supreme Government it appears, that General Macdowall was represented as having urged the arrest of Lieutenant Colonel Munro, in defiance of the Judge Advocate General's official declaration of the illegality of the charges, and of a request to the contrary from the officers who had preferred the charges. This assertion, as has been already stated, was altogether false and groundless. The arguments of the Judge Advocate General, however specious, were not considered to be conclusive, from the causes that have been before noticed ; and, in fact, the arrest of Colonel Munro was immediately caused by an appeal which was made against the Judge Advocate General's opinion to the authority of the Commander in Chief, and to the articles of war. It is probable, that General Macdowall's enemies did not suppose that the detection of this misrepresentation would take place so soon, and imagined, as he was gone from India, that the power which they possessed would enable them to stifle any efforts that might be made to vindicate his cause. At all events, it was pretty certain

that the advantage which they could use of representing the subject in the manner most advantageous to themselves, would establish a prejudice in their favour, which would produce the conclusion they desired, before any discussion could take place regarding the original merits of the question. Moreover, it is not impossible that Sir George Barlow was himself deceived, by those whose interest it was to vilify General Macdowall, and whose chief object it was to retain, even for the present, the ascendant which they had acquired. Wherever the deceit may have originated, it was manifest that it had the full effect with the Governor General; and, therefore, that he was strongly prejudiced against any representation which could at this period be made to him, relative to the new predicament in which the Company's officers were placed; of being liable to lose their commissions at the beck of any time-serving sycophant about the Government. Such must literally be considered the situation of every officer in the Company's service, if Colonel Leith's *ex-post-facto* opinion be admitted, to justify the dismissal of Colonel Capper and Major Boles. It is scarcely possible to suppose an act less likely to produce the for-

feiture of a military commission, than the performance of a work (not manifestly illegal) under the express and peremptory order of the Commander in Chief in person. But, whatever may be the occasion chosen for the removal and ruin of a person who may become obnoxious to a favourite, the head of a government, possessing great patronage, and great power, will always find an advocate to justify the measure. Deplorable indeed is the condition of persons obliged to live under such a system. It will not excite wonder in the minds of Englishmen, and particularly of those who consider the military profession to be the soil most congenial to the growth of honourable pride, and liberal principles, if the contemplation of such a picture occasioned to the officers of the Madras Army, an anxiety and uneasiness approaching to despair. They had, for a commission to be held until they forfeited it by the breach of some known law, (*quamdiu bene se gesserint*) relinquished the society, almost the acquaintance, of their dearest relations, the comforts and innumerable pleasures of residing in their native country; they had devoted themselves to the duties of an arduous and dangerous

profession, in a foreign and unhealthy climate, and they now learned, for the first time, that these commissions could be taken from them without any form of trial, or enquiry whatever; that, after losing the commission, they might be most arbitrarily prevented from proceeding to Europe to lay their case before the Court of Directors; that their friends and acquaintances might be punished for associating with them; and that, under the pressure of these calamities, deprived of a profession, of the means of subsistence, except what charity gave, and even of the consolation to be derived from the condolence of friends, they dared not even entertain the hope of being permitted to appeal to the superior authority in India.

Such were the reflections of the officers after they had considered the substance of the letter from the Supreme Government; and there were few who would not have cheerfully sacrificed every prospect in life, rather than remain in possession of a doubtful property. There were not any who doubted the success of a regular appeal to the Honourable the Court of Directors, from whose uniform justice, if the case came fairly before them, it might be reasonably expected that redress

would be given for the injuries that had already been inflicted on many individuals in the army, as well as on the whole body collectively; also, that adequate punishment would fall on the heads of those, whose abuse of the power entrusted to them had estranged the affections of a respectable and numerous body of meritorious and faithful servants. But the means to prevent appeal from reaching the Court of Directors had been so rigorously used, and those which could effect the previous arrival of the ex-parte narrative, had been so industriously adopted, one by the misrepresentation to the Supreme Government, and the detention of Major Boles, and the other by the special mission of Mr. Buchan to England, that little hope existed of redress by representation. The situation of Major Boles appeared, therefore, to be entitled to the greatest commiseration, and to merit every species of alleviation, which it was in the power of his brother officers to afford, doubtful, as it now was, whether his fate might not be decided on in England, before the representation of his case, or even his memorial, could reach his judges.

It was therefore proposed, that a subscription should be raised, by voluntary con-

tribution from the officers of the army, for the purpose of relieving Major Boles and his family from the imminent distress which awaited them. The propriety of this measure was so self-evident, that it met with universal approbation, and almost every officer who had an opportunity, testified, in the most unequivocal manner, his eagerness to participate in a work, which, while it gratified the personal feelings of each individual, did not appear likely to incur the open displeasure of the powerful prosecutors of Major Boles ; as it merely and exclusively implied, that the officers, thus subscribing, had agreed to appropriate a portion of their property to the relief of a much-respected individual, whose distresses had been brought on, not by any act which could detract from the respect which had before attached to his character, as an officer or gentleman, but by a new and extravagant interpretation of the duty of an officer, holding a subordinate situation ; an interpretation so monstrous in itself, that the authors of it deemed it not to be susceptible of justification by any common reasoning, but to require the ambiguous aid of metaphysical sophistry, which has been

so dexterously applied, that every proposition has been positively proved in favour of the side on which it was offered, by arguments which have, however, failed to convince the mind of any one impartial reader.

The enemies of General Macdowall being determined, while they possessed the power, to subdue every attempt that might be made to favour any of those who were concerned with him on the present occasion, immediately took the alarm, when they found the cause of Major Boles so generally popular. Means were therefore immediately used to induce the officers, who had subscribed, to withhold their contributions, and to deter others from subscribing. In consequence of the threats held out in this way, the officers of two regiments, (not in the company's service) withdrew their names from the list, wherein they had subscribed. However, a great proportion of officers addressed a letter to Major Boles, expressing their concern for the unmerited punishment he had suffered, and their resolution to form a fund for the purpose of relieving him from the distresses with which he was now threatened, for an act which they were bound to approve ; as every individual felt the conviction, that he should

conscientiously have followed the same course, if he had been placed in the same predicament that Major Boles was.

An avowal thus unequivocal, that the measure of Government was deemed unjust and illegal, was not made without much painful reluctance and regret ; but necessity obliged a body of honourable men to adopt the only alternative which now remained, to avert their utter degradation. A commission, which could at will be destroyed by the caprice of a prejudiced individual, was not worth holding, and the danger to which all were exposed by arbitrary conduct, had made men bold, because it united them in a common cause.

The letter having been addressed to Major Boles,* a copy of it was sent for the information of Sir G. Barlow, by an officer belonging to his personal staff, who, consistently with the honourable principles that had uniformly distinguished him, disdained to conceal, for a moment, an act which he thought it proper to perform ; or to continue even nominally to hold any situation immediately under a person whose public measures he considered to merit reproach. This officer was deservedly held in high estimation.

* Appendix K.

The reputation of his activity, his zeal for the public service, and his professional abilities, had awakened the notice even of Sir G. Barlow. Accordingly, when the preparations were making for the invasion of Travancore, this officer was, by desire of the Governor, informed, that his assistance on the scene of active operations would be very desirable. He therefore, without any prospect of advantage beyond the satisfaction which an officer derives from the faithful discharge of his duty, left the Presidency, and proceeded to Travancore, where he was at the time the letter was addressed to Major Boles ; and it was from thence he transmitted his resignation of the staff-situation he had held ; accompanied by a copy of the letter, which, as he informed Lieutenant Colonel Barclay, the Governor's Secretary, bore his signature, as well as that of several other officers.

A proceeding so disinterested, so manly, and so strongly indicating an high sense of pure honor, might have been expected to assuage all malignity, even though the measure might not in itself be approved. It was like the crime of Orpheus :

" Ignoscenda quidem, scirent si ignoscere Manes."

And those who have passed judgment on it have acted as the powers below did with respect to the Musician, whose celebrity has furnished the allusion.

The receipt of this communication occasioned a considerable degree of commotion at the Presidency. The party there had, from the first, been desirous to make the world believe that the discontent, and disgust at their measures, were confined exclusively to a few individuals, the friends of General Macdowall. They had now introduced a set of men into the principal situations; who would abet the doctrines that were prescribed; and matters appeared to have got into such a train as would render it practicable to verify, and establish, whatever story might appear most likely to accomplish their ends. The letter to Major Boles, as it had many signatures of persons in all ranks, and at all stations, at once dissipated the hopes that had been formed on that score; and, after some days deliberation, it was resolved, that General Gowdie should be employed to announce to the army a circumstance which it was in vain any longer to affect ignorance of. The Commander in Chief accordingly circulated to

officers in command of stations, a letter, which seems to consist of the arguments of Colonel Leith, in the language of General Gowdie. Some parts of it deserve particular notice; they shall therefore be remarked upon at a future period.

For some time past, much uneasiness has been felt respecting the state of the garrison of Masulipatam. It appears that the vessel in which Captain Marshall proceeded to Vizagapatam stopped at Masulipatam for a week, in the course of which Captain Marshall was invited to, and dined at, the mess of the Madras European Regiment, on which account Captain Andrews was superseded. Lieutenant Colonel James Innes was sent from the Presidency to take the command, and furnished with instructions to rebuke the officers, and to report any circumstances which he might discover, that could lead to the punishment of any of them. The selection of Colonel Innes for a duty of this description excited the greatest astonishment in all who knew him; and his conduct there has confirmed all the alarms which were felt. Several letters, containing accusations and recriminations, have been received from that station; and

it is much to be feared that some orders, which General Gowdie has given, will produce some desperate outrage. The smallest spark at this time may cause an explosion that will shake to the foundation the principles of the authority which attaches India to Britain. The apprehension, dreadful as it is, cannot now be slighted. The measures pursued have, by gradual operation, raised in the minds of all the military a most universal hatred, mingled with contempt, which renders them indifferent as to consequences; and in this state of things the same system is followed; each previous act of injustice seems countenanced by the enormity of that which succeeds it; the disposition to forbearance is nearly worn out on the side of the army, and the community are now under the awful expectation of some dreadful catastrophe.

ADIEU!!

LETTER IV.

Madras, 15th July, 1809.

DEAR SIR,

THE deplorable crisis is at length arrived, and the Governor of Madras

has made the fatal discovery, that there is a limit beyond which oppression will not be borne even by the most submissive. Recent accounts from Masulipatam mention, that an attempt to disperse the officers of the Madras European Regiment, and to draft the men, had produced a disobedience of the orders of Government, and that Lieutenant Colonel Innes, whose measures do not appear to have been conducted with much judgment, had been superseded in his command by the garrison. Lieutenant Colonel Malcolm has in consequence been sent from the Presidency, with special instructions to adjust the differences which unhappily prevail there: all honest men must wish him success, and none can own a contrary sentiment, but who hope that the after acts of the army may afford a seeming pretext for the system preceding.

In order that the causes and progress of the principal transactions may be clearly perceived, it will be necessary that the narrative should proceed regularly; for these events, so important in themselves, of so much moment to the East India Company, and to the mother country, will be found to have arisen from causes apparently tri-

fling, but each forming part of a system of measures unprecedented in any former Government, unwarranted by the circumstances of the period, and unjustifiable by any of the principles which ought to regulate the Government of an extensive community of enlightened men.

Towards the end of April, the circular letter from General Gowdie, dated the 10th of April, had been received at the principal stations of the army, when certain parts of it excited feelings very different from those which it was intended to produce. The Major General, after stating that "he deprecates the discussion in general orders, of odious and indelicate questions," proceeds to comment on the particular case of Major Boles, in the following words: "As common passion for Major Boles may have drawn in the officers to the measure, I think it proper to explain that Major Boles has, in my opinion, deprived himself of any particular claim to feelings of that nature. It had never been, I was persuaded, the intention of Government to deal severely with that officer; but only to vindicate that respect due to their own authority, which every Government must be anxious

“ to maintain. And, accordingly, (but
 “ without any instructions to that effect)
 “ soon after my succeeding to the command,
 “ I took the occasion to signify to Major
 “ Boles, that if he would express any ade-
 “ quate regret for what he had done ; as, that
 “ when he affixed his signature to the order,
 “ he was not aware of the consequence,
 “ and thought he was acting right without
 “ meaning any offence to Government, but
 “ was now sorry for what had happened ; I
 “ would make it my business to get him
 “ reinstated in his rank and official situation ;
 “ but this explanation, so natural to have
 “ been expected, and which included in it
 “ no personal concession of character, was
 “ rejected, (and not without some warmth)
 “ by his exclaiming, that he was sorry for
 “ nothing that had happened, or words to
 “ that effect.” The avowal of modesty,
 “ which deprecated the discussion of odious
 and delicate questions,” did not excite more
 surprize in the minds of those who had per-
 sonal knowledge of the timid delicacy which
 marked the Major General’s sentiments and
 manner, than the malicious attempt to injure
 Major Boles did indignation in all who read
 the paragraph above quoted. It is impos-

sible to contemplate, with any degree of gravity, the rhodomontade that is displayed in it. Major General Gowdie who, on the 24th of March, publicly declared his incompetency to judge of the circumstances which deprived him of the services of Major Macdowall, whose conduct as Deputy Adjutant General he had highly approved, this General, on the 10th of April, states, in all the pomp of substantive authority, that he was persuaded the Government had never intended to deal severely with Major Boles, and that, upon certain conditions, he, Major General Gowdie, would make it his business to get Major Boles reinstated, &c. Such professions, however well they might appear at first view in an official communication, were calculated to produce a feeling very different from respect among the officers of the army, who were perfectly acquainted with the extent of General Gowdie's influence, as Commander in Chief. But the bitterest indignation of these officers was raised, when they found, that he who had for many years enjoyed the opportunity of associating with men of honourable principles and generous sentiments, had lent his name, and the shadow of authority, which was allowed him, for

the purpose of completing the ruin of an individual, whose greatest imputed crime might, according to the General's acknowledgment, have been expiated by his saying, "*He was sorry.*" And when they considered the insidious insinuation, which was intended to prevent them from relieving the wants of Major Boles, by deceiving them into the belief that he had been contumacious, although General Gowdie was perfectly aware that Major Boles could not consistently, either with principle, or with duty, originate any apology, or express his contrition in any other terms than those he had already used, for an act which it would have been criminal in him to have declined. However, the disposition and character of Major Boles were too well known to admit of any credit being given to this insinuation, and, upon the whole, the letter of General Gowdie did much mischief. In allusion to one of the expressions contained in it, it was called the *odious and indelicate* production, and served as an object of much ribaldry and jocular mirth.

About this period, a circumstance occurred, which gave another proof of the relative situation of the head of the military

establishment, and afforded a further elucidation of the terms upon which Major General Gowdie was fain to bear the nominal title of Commander in Chief. At the time he succeeded to the command, his kinsman, Lieutenant John Wilson, held the situation of personal Aid-de-Camp to himself; but as he hoped soon to be able to procure a more advantageous situation for Lieutenant Wilson, he gave a positive promise that Lieutenant J. Scott, Adjutant of the 1st battalion, 22nd Native regiment, should be appointed his Aid-de-Camp; accordingly, when Lieutenant Wilson was appointed Assistant Adjutant General to the Northern division, Lieutenant Scott and his friends expected that he would be called to the Presidency, to the family of Major General Gowdie; they therefore experienced great surprise and chagrin on finding that General Gowdie's promise could not be kept, and that Lieutenant Scott could not be appointed. This information was communicated by a letter from General Gowdie, in which he expressed much concern on account of not being able to fulfil his engagement, as the Governor, Sir G. Barlow, had told him that he could not permit Lieutenant Scott to get

any appointment, because his name was among the signatures to a certain memorial, which had some months before been addressed to the Court of Directors. The General notices, that he is obliged to take into his family, as Aid-de-Camp, Lieutenant Walker, a man whom he had not seen, and of whom he knew nothing further, than that he was a relation, or dependant, on Lieutenant Colonel Barclay, the Town Major, and Military Secretary to Sir G. Barlow. This explanation fully acquitted General Gowdie to Lieutenant Scott, and his friends, of any intentional breach of his word in failing to fulfil his promise ; but afforded to all the army an opportunity of remarking the striking contrast which existed between the actual power possessed by him, and that which he vaunted forth in the letter respecting Major Boles. He therein professes not only his ability to reinstate, but intimates, that he was in some sort informed of the intentions of Government, when they suspended that officer, *without meaning to deal severely with him*. Such a contradiction produced conclusions not very favourable to the General.

The latter events which have been mentioned, were not calculated to produce any

convulsion among the officers of the army, although they served to rivet more strongly in their minds the sentiments of detestation and abhorrence with which they viewed the prevailing system, and its authors. Of the same description were the vexatious measures adopted respecting Lieutenant Colonel Sentleger and Captain James Grant: they were considered merely vexatious towards individuals; and the horror which was felt at the prospect of the consequences that might result from manifesting resentment so frequently as occasion was given for it, accompanied by the hope that it might yet be possible to prevent an open rupture, and that regular order might subsist, until a decision on the great question might be received from Europe, induced the moderate to inculcate forbearance, and disposed all to practice it. Nearly three months had at this time elapsed, since the departure of General Macdowall; it might, therefore, reasonably be hoped that he was now well advanced on his way to England; and as Colonel Capper had joined him at Ceylon, that the common superiors of the parties in dissension might, through the means of those officers, obtain a fair statement of

circumstances, or such at least as might enable them to form an equitable judgment on the cases of Colonel Capper and Major Boles: all these considerations operated strongly, and their influence produced a calm which only felt temporary interruption from the occasional acts which Sir G. Barlow exercised towards those individuals, whose principles, or firmness, had rendered them obnoxious to him, or his minions. At the Presidency, it is true, the alarm was without intermission. The number of spies, who were interspersed through all ranks of society, most effectually extirpated general confidence, and introduced a suspicious coldness that was much increased by the presence of persons whose conduct and character had hitherto kept them at a distance, but who, availing themselves of the encouragement given to the qualities which they respectively possessed, now found their way into every circle, and effectually contaminated the current of social intercourse, by the suspicion with which each looked upon his neighbour. All this tended to increase that sullen gloom which arose from contemplating the unprecedented daily acts that have rendered this period an epoch in the annals of British India.

Yet, while those feelings prevailed at Madras, the societies at out-stations enjoyed a comparative degree of tranquillity; for, although they were perpetually disturbed by accounts of the transactions of the Presidency, still they experienced that sort of satisfaction and comfort which arises from mutual confidence and good understanding. The most strict obedience and attention were still paid to every part of public duty, notwithstanding the freedom with which all thought, and spoke, of certain characters in high situations. Indeed, subordination and good conduct prevailed so much, that Sir G. Barlow, and his advisers, affected still to consider the great body of the officers as indifferent, or in some sort reconciled to his measures; and, relying upon the proverbial submissiveness and discipline which had ever distinguished the Coast army, he resolved on a fatal measure, which struck at every principle of feeling and pride, which attached the officers to their profession. There is reason to suppose, that Sir G. Barlow might still have avoided the destructive course he took, had he not been betrayed by false misrepresentations, and driven blindfold into the snare, by the creatures in whose power he

actually was, without being aware of it. They could not entertain the hope of retaining their ill-deserved stations, if matters remained quiet, or if those individuals who felt an interest about their profession, and whose judgment could not be bought off, were allowed to represent their situation in any way.

Such appear to have been the motives and the means by which Sir G. Barlow was led to adopt an act, most injudicious, impolitic, and rash.—This was the suspension of four officers from the service—the removal of two from important commands—and that of two others from staff situations—as announced in the general order, under date the 1st of May, to which unfortunate production is to be ascribed every singular proceeding which has since taken place in the army, as well as those which are still to be apprehended, unless some fortunate occurrence intervene to produce a change in the system.

No description would be adequate to convey an idea of the agitation which the receipt of this general order produced at all the army stations. From its melancholy effects, however, it will be easy to judge ;

but, previous to mentioning them, it will be proper to advert to the particular passages of the order itself.

The order commences with a studied eulogium on the long-established zeal and discipline of the Madras army, of which the Governor seems to have formed an idea rather hyperbolical; for it is stated, that they induced an expectation that the suspension of Colonel Capper and Major Boles, would be received with *respect* and *obedience*. The natural infirmity of mankind renders it impossible that the persons selected to fill the various departments of Government should be perfect: it therefore becomes necessary to the maintenance of order, and it is a maxim in the constitution of civilized nations, that *obedience* shall, in the first instance, be paid to all orders proceeding from the authorities regularly constituted, although those orders may in themselves be unjust. But neither law nor reason can pretend to exact from men, possessing any idea of civil liberty, *respect* towards acts of positive injustice. Such doctrine is calculated only for the nations of India, amongst whom respect consists in gesticulation and outward forms; and with whom it may

possibly be proper to enforce various laws, that Englishmen could not understand, and certainly would not conform to.

The general order proceeds to notice, that proceedings of an unjustifiable nature had taken place subsequent to the departure of General Macdowall; and to state, that the most reprehensible of those proceedings was, the preparation of remonstrances to the Governor General, on the subject of the late proceedings at Madras; in the preparation and circulation of which paper Captain Marshall and Lieutenant Colonel Martin are stated to have been principally concerned.—Lieutenant Colonel Sentleger and Major de Morgan are said to have been active in the circulation of it.

The general order then notices the address to Major Boles (which has already been mentioned); and this address is said to have been forced on the attention of the Governor by Captain James Grant. The circulation of this paper, at the Mount, is said to have been promoted by Lieutenant Robert Bell, of Artillery; and Lieutenant Colonels Chalmers and Cuppage, are mentioned as having taken no steps to repress, or to report, the proceedings pursued by

the part of the troops under their orders. Captain J. M. Coombs is also noticed as having been concerned in these reprehensible proceedings.

Then follows the expression of the displeasure of the Governor in Council, in terms perfectly unequivocal, as they declare the suspension from the service of

Lieut. Colonel the Hon. A. Sentleger;

Major J. de Morgan ;

Captain J. Marshall ; and

Captain J. Grant ;

The removal from military charge and command of Lieutenant Colonels Robert Bell and Chalmers, and the removal from their staff situations of Lieutenant Colonel J. Cuppage, Adjutant General, and Captain J. M. Coombs, Assistant Quarter Master General, in Mysore.

After a short explanation of the powers of the Governor, Sir G. Bariow expresses his satisfaction in publishing his conviction that the majority of the army had resisted all participation in the proceedings described in the order, and his approbation of the conduct of the troops in his Majesty's service.

The concluding paragraph contains a

passage equally pernicious as any part of the order, and which first gave rise to the proceedings that have followed. The passage is as follows :

“ The information before the Govern-
 “ ment, does not enable the Governor in
 “ Council to distinguish, by the expression
 “ of his approbation, all the troops of the
 “ Company’s service that have manifested
 “ the same disposition (as those of his Ma-
 “ jesty’s service); but he deems it to be
 “ proper to notice, on this occasion, the
 “ satisfactory and exemplary conduct of the
 “ part of the army composing the Hydrabad
 “ subsidiary force.”

Such is the order of the 1st of May ; which, whatever be its intrinsic merits, has produced consequences that must ever be regretted by all who feel an interest in the welfare of Britain, but particularly by those who wish well to the establishment of the East India Company.

The terms of the order are so positive, and the punishment which it announces, is so severe and exemplary, that any disinterested person, upon the first perusal of the order, will take it for granted, that the facts alleged against each individual, were fully

proved, or at least that they were susceptible of proof. However, it was known to all, that no public inquiry whatever had taken place; that none of the parties had any opportunity of defending themselves against the informations that had been procured through the vilest channels; and to many it was known, that the allegations were not only without proof, but that they were scandalously unfounded and false.

On recovering from the shock which the publication of the order produced, people began to consider the circumstances of the case, which were universally known to the following extent:

On the 11th April, Captain Barlow, Aid-de-Camp to Sir G. Barlow, came to the Military Board office, with a summons for three young men, two of whom were employed in the office, and the third had been in the private employ of Captain Marshall, as Secretary to the Military Fund. These being seized by Captain Barlow, were taken to the Council Chamber, and examined, on oath, by Mr. Anstruther, the Company's Advocate, in presence of Sir G. Barlow, Mr. A. Falconar, Lieutenant Colonel Leith, and Captain Barlow. The

result of the examination of these persons was, that a paper addressed to the Governor General had been copied in the office of the Secretary of the Military Board, and two or three were taken from two drafts in the hand-writing of Lieutenant Colonel Martin and Captain J. Marshall, according to the belief of the deponents respectively. Various interrogations were made respecting the persons who visited Captain Marshall in the office, and the manner in which he conversed with them, whether in a public or retired part of the office, &c. (for Captain Marshall continued to do duty in the Military Board office until the 10th of March, although he had been officially removed from it by order, dated the 7th of February.) However, no information was obtained that could in any way corroborate, or add, to that which has been noticed. Yet, upon such information, have Lieutenant Colonel Martin and Captain Marshall been publicly vilified and stigmatized, in the public newspapers of Madras, Bengal, and Bombay. Neither of them has been allowed any opportunity of pleading against the accusation; Lieutenant Colonel Martin having sailed for England on the 1st of March, and Captain Marshall having

been seized at Vizagapatam,—sent on board the Asia Indiaman, for the purpose of being transported to Bengal, and, ultimately, to Europe. However, the hardships to which it was intended that Captain Marshall should be exposed, were increased by the wreck of the Asia in the river Hughley; on which occasion he lost the greatest part of the property which he had been able to collect at the time he was seized at Vizagapatam.

At the time that Captain Marshall's writers were seized, Lieutenant Colonel Barclay was employed in a service of the same description, which was executed in the following manner: Lieutenant Colonel Barclay proceeded in his curricule to the office of Mr. James Balfour on the beach, at a time of the day when Mr. Balfour was not there, and calling for a native writer, with whose name he had been previously furnished, he seized him, and carried him, in terror and astonishment as he was, in his curricule, to the Fort. On his arrival there, he delivered the terrified writer at the Council Chamber, which had, before this, acquired the more common title of the *Star Chamber*.

The examination of this poor fellow was conducted in the same manner as that

mentioned before ; it produced information that Captain Coombs had procured copies of several documents, relative to the points of difference between General Macdowall and Sir George Barlow, and that he had also procured a copy of a paper, which was considered to be a summary statement of the various occurrences that had taken place during the altercation, which was carried on previous to the General's departure.

In order that the weight and importance of this information may be fully perceived, it will be proper to notice that Captain Coombs had been Aid-de-Camp to General Macdowall, and lived in his family. No attack had been openly made against the General's character until after his departure from Madras, consequently it was natural to suppose that this officer would arrive in England without the means of defending himself against the very serious charges that had been levelled against him, after his back was turned. Under this impression, Captain Coombs considered that he could not better manifest gratitude to his benefactor, than by supplying him with authentic copies of the correspondence, and other documents, which related to the occasion, that had been

taken to asperse and vilify his character. They were accordingly prepared and arranged by Captain Coombs, who drew out an abstract of the whole proceeding, with reference to the several documents, in the order in which they had originated ; but, as it appeared to be important that this summary should be transmitted, with the least possible delay, Captain Coombs procured from Mr. James Balfour, who was an intimate friend, and a connection of General Macdowall, the services of a writer, who was the identical person in the seizure of whom Lieutenant Colonel Barclay acquitted himself in the manner above described. This is actually the head and front of Captain Coomb's crime, on account of which he has been ignominiously deprived of his staff situation.

The means by which information was procured against Lieutenant Colonel the Honourable A. Sentleger are not so publicly known ; there is only one person in the character of an officer who has on this occasion been suspected of a breach of the ninth commandment of the Christian Decalogue ; but as the public are not in posses-

sion of the circumstance, and as suspicions at the present period will doubtless arise, on slight grounds, it is considered to be improper to inculcate that individual. Certain it is, however, that some person has given a false evidence against his neighbour on this occasion, as it is incontestibly proved, by the declarations which Lieutenant Colonel Sentleger procured from almost every officer who had been under his command in the Travancore army, and also from Lieutenant Colonel Colin Macaulay, the English resident at the court of Travancore, who has not scrupled to say that Sir G. Barlow had been deceived by some infamous misrepresentation, or vile falsehood. It is to be hoped, for the sake of justice and honour, that the Honourable Lieutenant Colonel Sentleger may arrive safe in England, and that, through the influence of his friends, and the justice of his cause, he may be enabled to vindicate his injured character, and to expose, to the indignation and contempt of his brother officers, and of his country, the vile instruments, and the base acts, which have been employed to conduct this scene of the tragedy.

The information respecting Lieutenant Colonels Chalmer and Cuppage, and Major de

Morgan, is nearly of the same description with that which regards Lieutenant Colonel Sentleger; and probably the sources of it, and the channels through which it has passed, may hereafter be fully developed, but at present it would be improper, and perhaps unfair, to indulge any speculations regarding it.

The case of Lieutenant Colonel Robert Bell, of Artillery, who commanded the Mount Cantonments, and held a seat at the Military Board, is, however, very different. The vicinity of his residence to the Presidency afforded the best means of ascertaining the correctness, or otherwise, of the information which had been obtained respecting him, if such had been desired. But this transaction may, at a future period, be fully explained to the public; for the present, any further discussion of it is deferred, Colonel Bell having himself made an appeal to that source, whence the Government of India derive their authority. It may not, however, be irrelevant to notice, that, on the day after the order was received at the Mount, all the officers who had been stationed there, (one only excepted) drew up an address to Lieutenant Colonel

Robert Bell, in which they expressed, in the warmest terms, their regret at the loss which they were about to experience in his removal from the command of the station, and from their society. They also offer the most solemn declaration, that the charge contained in the general order of the 1st of May, against Colonel Bell, was wholly and entirely groundless. The exception amongst the officers to the signing of this paper was Sir John Sinclair, who had just been appointed Commissary of the Arsenal at Madras.

Colonel Bell conceiving that the Government might be desirous to be undeceived, in a matter of so much importance, would willingly have transmitted to them a copy of the declaration of the officers, together with an affidavit, or any other asseveration, from himself, purporting that he was wholly and unequivocally innocent, in thought, word, and deed, of the charge specified against him, in the general order of the 1st of May. However, this step was prevented, by his learning, through a third person, a Member of the Council, that the Government would resent, in the most severe manner, any attempt at the justification of himself by the transmission of the paper. And Colo-

nel Bell has been obliged to rest satisfied, with the consciousness of his own innocence, and to wait patiently for a decision from Europe, (which possibly may take place on the *ex parte* statement of Sir G. Barlow) or for a change of the Government, before he can hope for even a public investigation of the subject.

Such being the motive, and the ground upon which the punishments announced in the general order of the 1st of May had proceeded, it cannot be a matter of surprize, that universal indignation was felt on the occasion. However, such was the general feeling towards the Governor of Madras, that the compliment paid to the Hydrabad force, in the last paragraph of the order, was deemed a greater insult than even the punishment, and the defamation of the respectable characters who are vilified in it.

The receipt of the order at the several stations of the army, produced considerable solicitude and commotion; but at Hydrabad the ferment was excessive; one and all felt the keenest sense of injury and insult, from perceiving the paltry attempt to sow dissension among the officers of the army, by supposing a difference of feeling, and interest,

between men, whose characters and fortunes were united by the established system of the service, as well as by those ties which are, above all, dear to men of honor and principle. As might naturally be expected, a perfect unanimity prevailed among the officers at Hyderabad; who, as soon as practicable, after the receipt of the order, addressed to the different divisions of the army, a paper to the following effect; a copy of the same being also sent to the Governor of Madras, through the officer commanding the force.

“ In the late general order by Government, under date the 1st of May, 1809, the conduct of the officers of this force, with respect to the late occurrences, is particularly mentioned in terms of approbation.

“ This unexpected compliment may possibly have impressed our brother officers throughout the army, with an idea that we tacitly have approved of the acts of Government to which the general order refers, and that we are divested of those sentiments and feelings, which have been excited throughout the army.

“ Under this impression, we feel it to be a duty incumbent on us to declare, that we have viewed, with the most lively emotions

of concern, the extreme acts of power, and exertions of authority, by which so many valuable and respectable officers have been displaced from their commands, and suspended from the service; and while we assure you of our resolution to contribute to the support of those officers who have incurred the displeasure of Government, for their exertions in a cause which we must pronounce *just*, we shall be ready to participate in any legal measures of temperance, dignity, and firmness, which may be thought effectual, to remove the cause of the present discontent, and to restore our brother officers to the honourable situations from which they have been removed.

[Signed by 145 field and other officers of the troops composing the Hyderabad Subsidiary Force.]

“*Hydrabad, 14th May, 1809.*”

Were not the above facts susceptible of the most unequivocal proof, by the number of persons to whom the particulars regarding them are fully known, no indifferent person would believe, neither would any venture to assert, that the chief organ of a Government, so extensive as that of Madras, could, after

the errors already discovered, be deluded into so stupid, so unnecessary, and so irremediable a measure as this, which exposed the Government to the utmost contempt, by having its praises indignantly rejected, as insulting and injurious to the feelings of a great body of those who were subject to the authority of the Government. This occurrence may be considered to have completely dissolved the relation which should subsist between the rulers and the ruled, and it had its origin, as all the other unfortunate events have had, in the imprudent and injudicious councils which Sir G. H. Barlow unhappily followed. Among those about him, there was not one who possessed the confidence of any part of the officers of the army, or one, who, if acquainted with the actual state of the public mind, would run the risk of displeasing the Governor, and thereby perhaps losing his own situation by telling him the truth, when truth might be unpleasant to him. This, unfortunately, would have been too often the case, during the period that he has been at the head of the government of Madras.

The officers at Hyderabad, as it appears, acted without delay ; but they did not act without reflection ; and their reflections

informed them, that no situation or circumstances whatsoever, could give to Sir G. H. Barlow, or to any man, a right to proclaim to the world, in a public newspaper, that they had viewed recent public measures in a light different from that in which they had been viewed by their brother officers, particularly as the assertion was totally unfounded. This general order will, through the Madras newspapers, probably find quick circulation among the friends, the connections, and the enemies of the officers of the Madras army, in the various quarters of the world; and as it is calculated not only to represent the Hyderabad officers as differing from the rest of the army, but also implies the possibility, that the measures adopted by Sir G. Barlow, could be contemplated by any part of the officers, without exciting the greatest degree of indignation and resentment, it must be considered as a defamation of the body of the Madras officers, and as a misrepresentation of the circumstances then existing.

The general circulation of the famous order of the 1st of May, gave rise to an incident, which had considerable influence on the subsequent events, and therefore

deserves to be noticed. The Bombay troops had, during the last ten years, been much employed with those of the coast army; and the officers, consequently, had many opportunities of becoming acquainted with the characters of several of the officers of the latter, more especially of those distinguished by command, by staff situations, or other circumstances, which give celebrity to individuals. They could not, therefore, be altogether insensible to the details that are set forth in the order of the 1st. Accordingly, when this order was exhibited to the view of the public, at their presidency, they deputed certain individuals from their body to address the officers of the Coast army, and a letter was sent to the principal stations, the substance of which was, "that the publications in the Bombay newspapers, of a general order, issued at Madras on the 1st of May, had excited, in the minds of the Bombay officers, the greatest surprise and disgust, as it mentioned the suspension of some of the best and most respectable officers of the Coast army."

"That, participating in the feelings of the Madras officers on this occasion, all were unanimous, and there was not a dissenting

voice in announcing the wish of the Bombay officers to afford every facility which might lay in their power, towards procuring redress against the tyrannical and oppressive conduct of the Governor of Madras and his advisers."

To those who may be disposed to form an impartial judgment on the subject, the conduct of the Bombay Officers is worthy of consideration: they were sufficiently near the scene of action to acquire a competent knowledge of the leading circumstances, and they were so totally distinct, as well in distance of situation, as in routine of duty, that they scarcely could be influenced by personal or local prejudices. The opinion which they formed may, therefore, be considered to be as free from partiality, or party feeling, as that which any community could form on a subject of this nature. If this conclusion be just, the unequivocal terms, in which the opinion of the Bombay officers is expressed, must have afforded to the officers at Hydrabad a considerable degree of satisfaction; inasmuch as it appeared fully to justify the decisive conduct which they had adopted, in repelling, with disgust, the praise which was offered to them, under

the presumption, that they had tacitly approved (because they had not publicly resented) the measures of Sir G. Barlow ;— measures which have already produced very disagreeable consequences, and which, if pursued, may lead to disasters of the most serious nature to the officers of the Company's service, to the Company themselves, and to the vital interests of the mother State.

It is truly painful to contemplate the crisis to which the affairs of the Madras Government have been brought by this man. The officers of the most efficient part of the military establishment have been compelled to vindicate their feelings, by informing the Governor of Madras, that his praise of them was considered an insult, and could not be accepted.

The officers, with the troops that compose the principal garrison in the Northern division, have suspended the functions of their commandant, who had been sent as a sort of avowed spy over their conduct ; and the officers of a separate establishment have publicly expressed their surprize and disgust at the oppressive conduct which has produced this phenomenon. Yet, with these

awful warnings, the same system of terror is pursued, and measures seem to be adopted to prevent any communication to the Governor General, which might inform him of the actual state of affairs, and might enable him, by the seasonable interposition of his authority, to prevent the calamities which seem to impend over this presidency. In vain have various occurrences happened, during the present enlightened period of history, which might have instructed the persons in power here, of the wisdom of that maxim obtaining in the politics of free states, that when those vested with authority are conscious of having adopted a bad cause, and when they perceive that the great body of those, whom they rule, will not be reconciled to a system that is founded on injustice, and unsupported by reason; in such a case, it is the practice of those rulers, according to every principle of patriotism and policy, to prevent the horrors of civil discord, to shew a seasonable condescension to the prevailing opinions of the great majority of those who are subject to their controul; but who, if they saw a palpable neglect of their interests, and a relentless perseverance in the system, which at once insults and injures

them, might abandon themselves to the sway of their personal feelings, and become totally indifferent to sentiments of public duty, and to consequences of the greatest general import.

That Sir G. Barlow, and his minions, were fully conscious of the impropriety of their conduct, with respect to Major Boles, is evident from various expedients to which they resorted from time to time, but chiefly from the overtures that were made to Major Boles through the channels of a member of council, and General Gowdie; the expedients which those characters adopted of declaring, that they were not instructed to make the proposal, is too shallow to deceive the most ignorant or inexperienced; it, in effect, produced a consequence, quite different from that which was intended; it was one of those awkward frauds which carry their own antidote along with them; and may very aptly be compared to the finesse adopted by a certain great character, now high in office, who, having occasion to discuss the subject of an interference on his part, which was highly improper, and highly criminal, commenced his explanation with, "By the sacred God, Sir, I never got a rupee by it."

He had not been accused of any sinister motive, neither would the idea of the possibility of his receiving a bribe have occurred, but for his unsolicited defence, which excited suspicion, and led to the positive discovery, that he had actually received a *douceur* of 5000 rupees. The declaration of the last-mentioned gentlemen, that they were not employed by Sir G. Barlow, appears to have been as unnecessary as the disavowal of the bribe was in the instance mentioned ; and, like it, creates suspicion, and renders it, in fact, probable that Sir G. Barlow felt an emotion of compunction at the retrospect of the acts he had counselled.

In short, the blind perseverance in acts of error, and an unqualified support of the doctrines of a set of men, who have wormed themselves into confidence, by the basest means, have brought the affairs of this Government to the verge of ruin ; for, although no open act of violence has yet taken place, there can be no doubt that matters may soon proceed to that extremity. Unhappily, their proceedings are so well calculated to produce that end, that it is no longer reasonable to entertain a hope of their failure, unless the private communications which

may reach Lord Minto, may induce him to interpose his personal authority, and, by his presence at Madras, to restore some degree of confidence to the sincere friends of established Government, administered with justice and equity.

The transactions at Masulipatam succeeded next in order to those which have been detailed; they shall accordingly be noticed in the next communication.

ADIEU!

LETTER V.*

Madras, 10th September, 1809.

DEAR SIR,

MY letters by the last dispatch will have prepared your mind for the reception of the accounts that I am about to give you. The discontents of the army are no longer expressed in angry declarations and memorials, but have shewn themselves

* The preceding letters are written, as the Reader must have observed, by the same correspondent. It is to be wished that the series had been complete, but they were originally written, it is necessary to remark, for the information of a gentleman at Calcutta, and have

in deeds, not to be doubted, or denied. As the discontents were general, as has been described to you in my previous correspondence, so the effects of them do not appear to have been confined to one station of the army.

At Masulipatam, Hyderabad, and Seringapatam, many direct acts of insubordination have occurred. The Government have, in consequence, had recourse to summary means, to suppress the prevailing spirit, and to reduce it within its proper boundary. Large forces of his Majesty's troops, joined by a part of the Native army, commanded by King's officers, have been sent to the Southward and Northward; and a detachment, consisting of troops of a like description, with the addition of the Mysore cavalry, have been ordered to march to Seringapatam. It will be necessary to observe, that before these extreme measures were pursued, the Government had the most un-

been since forwarded by him to this country. This will account for the series being interrupted at the interesting period, at which it closes. The remaining letter [No. 5.] is written by another hand, and must serve to fill up the chasm in the correspondence, which otherwise it would have been difficult to supply.

doubted proofs of the disaffection of the army at the principal stations. The first declared symptom of it was manifested at Masulipatam, in the month of June, in the arrest of Lieutenant Colonel Innes, who had been recently placed in the command of the European battalion, in the room of Lieutenant Colonel A. Taylor, who was supposed not to have been active enough in keeping under the rising spirit of discontent among his officers, which had discovered itself, as reported, on several occasions, at the mess of the regiment, in obnoxious toasts, and allusions to the acts of the Government. The cause of the arrest of Lieutenant Colonel Innes was, an attempt on his part to carry an order of the Government of Fort St. George into effect, directing the embarkation of one or more detachments of the European regiment, on board certain of his Majesty's ships, in the capacity of Marines. In communicating his orders to the regiment, Lieutenant Col. Innes, imprudently published the letter of the Adjutant General, accompanying them, and which was meant, it may be presumed, for his private perusal, as it conveyed a threat in the event of any irregularity on the part of the officers, that

the regiment should be dispersed, and the whole of the officers, with the exception of the general staff, would be placed on half-pay. On this circumstance being made known, a general agitation ensued, which seemed to threaten the personal safety of Lieutenant Colonel Innes, who was then preparing means to resist it by force, when Major Storey, the next officer in command, waited on Colonel Innes, and explained to him the sentiment of the corps, and expressed a wish that he would abandon, through an apprehension of the probable consequences, his meditated opposition, and requested, that he would be so good as to suspend the execution of the orders, until further explanation could be received from the Presidency. Lieutenant Colonel Innes refusing to comply with this request, was, at the recommendation of the officers present, put under arrest;—not, as it is said, out of personal disrespect, but under an impression, as before explained, that his person, otherwise, would not have been in safety, from an idea, generally entertained, that he was to be made the instrument of dispersing the corps, in order ultimately to reduce it. Major Storey took immediate

means of reporting to Government the necessity, in his mind, for having acted in the manner described. This original act of insubordination was followed by others equally strong. The fortress was immediately taken possession of by the European troops and the Native corps in the neighbourhood, and means prepared for defence. Communications, it must be understood, were constantly kept up at this time between the garrison and other great stations of the army, through the instrumentality of committees, regularly organised, and empowered to act for the whole. Colonel J. Malcolm, at this juncture, was sent, on a special mission, from the Government, to endeavour to produce submission in this branch of the army; but he was for some time denied admission into the garrison, and was at length obliged to return to Madras, without effecting the object he had in charge. The regiments in possession of Masulipatam refused to submit but on the condition of a general amnesty, which Colonel Malcolm was not authorised to grant. The only terms possessed by him were, that none of the members of the garrison should be punished but by the sentence of a court-martial. As this

would have left all the officers at the mercy of Government, at the moment when it was most offended, it is not strange that the proposal should have been rejected, as it offered nothing but what each of them would have been entitled to, even under the last and most unfavourable circumstances. After the dismissal of Colonel Malcolm, the regiments within the garrison meditated on a removal from Masulipatam to join the corps at Hyderabad. But they were persuaded to change these intentions, as it is said, by a communication from the officers of the last-mentioned station, or more probably by an order issued by Major General Pater, commanding the Northern division of the army.

Whilst these matters were passing at Masulipatam, the conduct of the officers of the subsidiary force at Hyderabad, was not less marked with offence towards the Government. This was not anticipated by the civil authorities, inasmuch as the officers on this station had refused, as the Government supposed, to join the other officers of the army in the intended memorial to the Governor General of India, which gave occasion, as I have before explained to you, to

the publication of the long order of Lord Minto, and on account of such supposed refusal, the Governor of Madras had thought fit to thank this part of the army in public orders. On the 15th of June, however, the officers of the subsidiary force, disdain- ing the compliment paid to them at the ex- pense of their brother officers, forwarded an address to Sir G. Barlow, stating, that they participated in the general sentiments ex- pressed by the officers of the army, in re- spect to the late transactions. It concluded with recommending an abrogation of the orders of the 1st of May. But a more posi- tive act of disobedience was manifested on the 8th of July, in an absolute refusal of these officers to permit a battalion to be moved from the subsidiary force, though directly ordered by the Government. On the 21st of the same month, a further ad- dress was communicated to the Governor, through the officer commanding, repeating the former requisition, and moreover insist- ing on an indemnity to the officers of the garrison of Masulipatam. In this disposi- tion of things, a test was framed by the Government, which was tendered to the officers generally of the Hon. Company's

service. This was accompanied by a circular letter, which gave great offence to the feelings of the army, who were required to subscribe the test, and was aggravated still further by the means which attended the subscription of the paper. In many instances, when officers were sent for to head-quarters to subscribe the test, their return to their corps was cut off by troops, drawn up with a view to intercept them. In others, the head-quarters were surrounded by a military force; and in one place particularly, at Trichinopoly, the officers who were desired to subscribe the test were not only hemmed in by the troops, but were afterwards marched to the main guard by an escort of Europeans; and, after remaining in confinement for the night, they were marched down in actual custody to Tanjore, whence they were suffered to proceed at liberty to some part of the coast between Sadras and Negapatam. The feelings of the officers, on these degrading acts, may be collected from the inclosed paper,* which is subscribed by the officers of all the corps, and is to be presented to Lord Minto, on his

* Appendix Q.

arrival at this Presidency; an event which is hourly expected.

But to proceed with the account of transactions in this quarter. On the 3d of August, Colonel Close, the late most respected Adjutant General of the army, arrived at the Resident's house at Hydrabad, having been ordered to that station by the Government, to take the temporary command of the subsidiary force. This seemed a well-advised measure of the Government, as it promised, through the influence and character of the newly-appointed commander, to reconcile the differences that had arisen. But, unfortunately, they were now at such a crisis that men could not recede, without the danger of supreme punishment, unless Colonel Close's mediation had been attended with a proposal of a general oblivion of what had passed. After an ineffectual endeavour to adjust misunderstandings, Colonel Close was obliged to relinquish his command; in which, indeed, to speak properly, he was never fairly inducted. Things were carried to so great a pass before this gentleman was sent to Hydrabad, that it was intended that the whole of this force should proceed to Madras, to seek a redress

of grievances by the force, or influence, of their appearance before its walls. A battalion was actually sent in advance, and the whole were to be joined in the march, as it is said, by the discontented part of the army at Masulipatam. But this scheme was abandoned, on a representation from the Resident at the court of the Nizam, that a large body of Mahratta horse was stationed on the frontier, and ready to rush into the Company's territories, and those of their allies, if the country should be deserted by the British force. This information, even at this juncture, and in the height of the irritation of the army, had more weight than the orders of Government, and determined them instantly to give up their own supposed interests in deference to the more important, and more valuable, interests of their country.

But the most violent, and the last measure has been resorted to and accomplished, in the vicinity of Seringapatam, where the troops, adhering to the Government, and the disaffected corps, have unhappily come in hostile contact with each other. The 8th and 15th regiment of Native Infantry, stationed at Chittledroog, had seized at the

end of the month of July, under the orders of the committee at Seringapatam, the Company's treasure at the former station; and, notwithstanding the remonstrances of the resident, and the officer commanding in Mysore, marched with these pecuniary resources towards the latter garrison, and had nearly terminated their march, without opposition. But, on the 6th of August, when they were at a small distance from Seringapatam, they were encountered by a detachment, under the command of Lieutenant Colonel Gibbs, consisting of European and Native infantry and cavalry, and a party of the Mysore horse; and, after a trifling shew of resistance, the battalions from Chittledroog were routed. The Government order on the occasion, states these battalions to have been "entirely defeated and dispersed, and that nearly the whole of the rebel force was destroyed."* But in a subsequent account† it is mentioned, that a considerable number escaped into the garrison of Seringapatam. It is said, and generally believed, that these regiments would not

* Appendix R.

† Do. Order of Aug. 20th.

have made any resistance, if they had been aware that the force which suddenly opposed their march, belonged to the British army. The attack commenced on the part of the Mysore horse, and was resisted by the 8th and 15th battalions, until the European troops came up ; when all resistance ceased, and the whole column endeavoured to gain the garrison ; suffering themselves to be cut down by the cavalry, without any opposition. It is described, in the Government order, lately published, as an act of cowardice, arising out of a consciousness of the badness of the cause, whilst it is painted in other accounts as an act of devotion in the officers and men of the battalion of their persons and their lives, to a necessity which they could not resist, without wounding the bosoms of their countrymen, and their brethren in arms. On which side the truth exists, I cannot presume to decide. A sally, it appears, was made from the Fort, at the time that the general affair happened between the detachment under Lieutenant Colonel Gibbs and the battalions from Chittledroog ; but which did not succeed ; the assailants were driven back by the Picquet, and a detachment from the 5th

regiment of Native cavalry, under the command of Captain Beane, of the 25th dragoons. This circumstance diverted the attention of Lieutenant Colonel Gibbs, and probably saved the Chittledroog detachment from annihilation. Some officers of the latter are wounded and taken prisoners, but I cannot procure any accurate statement of the casualties. Since these unhappy occurrences, it is believed, that no other hostile acts have taken place; and, on the 31st ultimo, we are told by a general order of Government, that the officers of Seringapatam have surrendered at discretion, and have been marched into the interior of Mysore. Some circumstances are said to have attended this last measure, marked by a severity, which it could scarcely be necessary to use, but which, at present, I do not feel myself sufficiently informed to relate.

Of the Hydrabad, or Masulipatam proceedings, no further accounts have been received, than a general rumour of their having submitted. But on the 7th instant, an order was issued by Government, directing that all corps moving without orders should be considered as in a state of rebellion; which would seem to infer, that at that date,

all was not considered by the Government, to be in a state of tranquillity.

I have given you a general statement of things as they have occurred; and must refer you for more particular accounts of some of the events described to the official papers of government, which I have enclosed in a separate packet. You will have letters written by other hands, more full and circumstantial than mine, but probably not more authentic.

* * *

P S. I just open my letter to add, that Lord Minto has arrived, and, in his courteous reception of certain individuals here, who were somewhat under a cloud, opinions are entertained that his Lordship does not approve so wholly as was imagined of the strong acts of our local Government.

LETTER VI.

*Extract of a Letter from Pondicherry,
received by the Margaret.*

September 23d, 1809.

You must have heard, by more direct communications, that more than four-fifths of the Company's officers, have been removed from their respective battalions, on their refusal to subscribe to a test submitted to them by Government. Their places have been supplied by King's officers. The test merely inferred, "that the officers (required to sign it) should obey the orders and support the authority of the Governor in "Council of Fort St. George," no more than is expressed or implied in the commission of every officer. But the letter inclosing the test, and which was ordered to be read to the individual officers, who were required to receive it, contained insinuations, so pointed against the whole body of the army, that a general repugnance to subscribe it was felt and expressed, not only by those who were desired to subscribe the test, but by those appointed to administer it. The consequences you already know.

The recusant officers have been allowed to proceed to different parts of the coast. Many are at this place, and others at Sadras, and other places on the same line. The Sepoys have expressed, universally, a dislike to their new officers, and some even have refused to act until their former officers be restored.

An order of Government has been published, signifying to the Native troops, that their former commandants and subaltern officers, had been removed for disobedience or disaffection to the Government, but this did not seem to lessen the dislike of the troops to the measure. It was, however, persisted in, and carried into effect at Trichinopoly, Bangalore, Nundydroog, Travancore, and the whole centre division of the army. An attempt was also made to carry it into effect at Seringapatam, but it wholly failed, and terminated in the possession of the fortress by the officers, who were hostile to that measure. The King's troops were dismissed from the garrison; and the place was promptly occupied, and held by the insurgents. It was shortly afterwards invested by the troops of Mysore, and a detachment of King's troops, and communication of course

impeded with the surrounding country. Two battalions from Chittledroog endeavored to relieve it in the middle of August; but were in part cut off with the loss of nearly 200 men, and two officers killed and wounded: the rear guard particularly suffered from the attack of the European and Mysore cavalry; they are reported to have made but a slight resistance.

Early in the last month, Colonel Close was sent to Hyderabad by the orders of Government, to take the command, and introduce the test at that station; but, after ineffectual attempts to take the charge, and administer the test, was obliged to withdraw. He addressed both officers and the Native troops in their turn, but was equally unsuccessful in both addresses; he was armed with full powers to negotiate with the Native officers and men, to withdraw them, if practicable, from the influence of their officers, by all the temptations in the hands of authority to offer. But all apparently was vain, though it is said that the acts of subordinate agents were afterwards more successful, both here, and in other places. So much alarm, of late, has been excited by these practices, that a renewal of the fatal

scene, which happened at Vellore, has been every where dreaded. This, with other causes, and the expected arrival of Lord Minto, according to the proclamation of his Lordship at the end of July, induced the subsidiary force at Hydrabad, to send their submission to Madras, to be presented to Lord Minto, when he should arrive, and to express a readiness on the part of the officers, to sign the required test. This example operated on the minds of the officers of the garrison of Seringapatam, who have also surrendered at discretion, and are marched into the interior, though the Sepoys had loudly clamoured for revenge for their late suffering, and "demanded to die at their posts in the defence of their officers." The officers at Masulipatam have also submitted, having first prevailed on the men, though the task was not easy, to accept the amnesty proclaimed by Government.

Since these acts have occurred, there has been an awful pause, and no one can conjecture what will be the ultimate event. This silence keeps many tender sentiments alive, in respect to the parties involved in these melancholy transactions. It is happy, however, that Lord Minto is at the Presidency

of Madras, where he arrived about a fortnight ago; and it is hoped, that his presence may be serviceable in healing the wounds, which the unaccountable severity of preceding acts had unfortunately opened. Heaven prosper so charitable an endeavour!

THOUGH the preceding letters afford a full and circumstantial account of many important events, of which the public hitherto were but imperfectly informed, it is a matter of regret that some particulars are yet wanting, to render the detail complete. We are still without accounts of the actual loss of officers and men in the unhappy occurrence at Seringapatam, except the short order, published by Government on the 18th of August, shall be considered in such a light. We are also but slightly advised of the immediate means that led to the surrender of the disaffected corps at the last-mentioned station; but the fact seems to be indisputable. What is even more to be lamented, we have no other than an accidental rumour of a general submission and amnesty, with an exception, or extension, to three or four individuals, whose cases, it is said, are reserved

for the decision of the proper authorities in this country. We shall be happy to have all these desirable particulars confirmed, and to learn, on credible authority, that the power of the East India Company over their armies, as demi-officially announced, is increased and established by the close, or consummation of the disastrous events that have occurred, beyond the reach of human assault, or the hazard of future fortune.

There may be many who may not chuse to assent to all the propositions and conclusions founded on, or deduced from the facts stated in the preceding letters. The writers of them, being on the spot, where the transactions, of which they speak, were passing immediately under their eyes, and which they describe as fraught with universal interest, might reasonably be deemed, in their relations, but more especially in their course of reasoning, to be subject to a bias—an involuntary leaning to the one side or the other. They exhibit not, indeed, any ostentation of neutrality. But though this circumstance might lead us to distrust the deductions they should draw from facts, it would seem to dispose us to credit the facts themselves, so far as they are detailed.

For who are so well qualified to give us authentic narratives of circumstances, as they who are themselves eye-witnesses of them? The marks of the foregoing correspondence are the intrinsic marks of authenticity and truth apparent on the face of it: the fault, if it be thought that there be any discoverable about it, is the leaning, or inclination, of the writers respectively to the claims of the army. If it be not a species of gallantry, it is a sign, at least, of generosity and independence to adhere to an unsuccessful cause.

But the sensible and able writers of the foregoing letters, notwithstanding they are influenced by a visible predilection for the success of the army, are not blind, as it should seem, to the inherent defects of its pretensions, nor of the mode by which the attempt was made to advance them. They record with grief and reluctance—but they do record—the unfortunate and fatal extremities, into which an originally well-intentioned, and most honorable body of men were gradually provoked, and imperceptibly involved. They express a concern for their errors, but they do not endeavour to throw over them a justification or defence.

We are not ashamed to feel and avow that we own somewhat of the same sentiment with these writers, springing, as we confess, from the same cause—a long intercourse with the Indian army, and a firm and unshaken conviction of its worth. Sincerely and deeply do we deplore the melancholy events that have closed their recent struggle. But melancholy though they be, and though they may be hastily, and inconsiderately condemned by those who have neither interest nor patience to investigate the circumstances attending them, or the causes that gave them birth, there is not a thinking mind, we speak with confidence, or a feeling heart within the kingdom, that can contemplate them without suggesting a palliation of the error which produced them, or returning a responsive sigh for the consequences likely to result from it.

A general cry has gone forth against the malcontents of the Coast army, sounded in a variety of tones—from the whisper of private insinuation, to the fulminating report of the Governor General in Council. The public ear has been stunned and wearied with never-ceasing accusations. It is now time that it should be opened to the

still voice of truth, which seeks not to pour into it any laboured or varnished story, but whose first and last declaration is, that it aims not at the perversion of justice, through nice subtleties and metaphysical reasonings, but claims an extenuation of the offence, which it candidly admits, from the provocations which promoted it.

He who shall cast his eye, however negligent and hasty may be the glance, over the first acts that gave rise to the discontents of the army, cannot withdraw it without an impression, that there was abundant food for complaint.

Not to dwell on minute and extreme matters, we would ask, Is it no circumstance of bitterness, that established emoluments should be taken from certain members of the army, not only without remuneration, but without the form of a previous and customary enquiry? that they should be taken from them on grounds which they were not permitted to controvert, and on the assertion of a junior officer, unconfirmed by any external authority whatsoever, whilst they were denied by a respectable part of the staff? Is it no injury to have the door of justice shut in the face of their solicitation, though couched in

the most respectful terms, and urged under the most direct and avowed responsibility? Is it no injury, whilst their own claims to justice are refused, to see the object of their pursuit walking at his ease, and at full liberty, and in the plenitude of power to molest them still further, in despite of their means to pursue him, and in contempt of the authority which they had been taught to reverence? Is it no mortification to look for ultimate redress where they have been wont to find it, and to be disappointed in the appeal? Is it no grievance to have the the source of promotion changed, from one who has an intimate knowledge of military merit and deserving, to another who is unacquainted even with the names that stand on the army list, and who is not to be approached but through the introduction and condescension of one in the meridian of grace, though in the dawn of service? Is it of no concern to them, to see officers of distinguished rank flying from their eminent stations, in disgust and loathing, giving the truest test of the sincerity of their sentiment, in the relinquishment of lucrative place, in the dearer consultation of their dignity and honor? Is it no grievance

that the chief of the army staff are deprived of their offices, and suspended from their station in the army, on the sole and avowed ground of their having paid an unqualified obedience to the orders of their Commander in Chief? Is it a matter foreign to the feelings of an officer, to perceive his brethren arbitrarily put beyond the pale of the army without enquiry, and without a hearing? Is it of no annoyance to them, in holding a commission, rendered insecure, not only by its being subject to be seized on some military impeachment or insinuation, but that it shall be exposed to suspension, at the whim or caprice of power, for alleged reasons, unconnected with military measures? Is it of no importance, that officers, having leave to quit the company's possessions, from infirmity or the urgency of their private affairs, should be detained in India against their will, from vain and capricious motives of men in power; and be dismissed at length, without explanation, to pursue their original destination; whilst others of high rank and character, should be hurried with ignominy, and almost under the degrading circumstances of felons, though without a verdict or judgment, beyond the

company's confines, and finally to England, contrary to their declared wishes, and in direct and express violation of their interests? If these things have happened, and none can seriously dispute the facts, have we occasion to look around us for reasons for the irritated feelings of the coast army? Some of the circumstances, embraced by these questions, may be partially controverted or qualified, but the greater part of them are admitted by the official documents of the local Government, though an endeavour is made to disguise them by a false glare of colouring, or to contravene them by sophisticated argument. A sufficient answer has been given, we apprehend, to these ingenious artifices, in the correspondence that has foregone.

The inflamed sensations of parties were further aggravated by matters, which, under other circumstances, would have passed unheeded. We shall not here pause to add any new article to the long catalogue of offence, which we have hastily ran over.

It hardly will be denied that there was not much irritable matter, lurking under the obnoxious acts enumerated, which, if it should at any time find vent, would produce the

most mischievous consequences. It was the duty, however, of individuals, it will be said, to smother their inward feelings, in dutiful respect to the constituted authorities above them. But there would appear a sort of correspondent duty on the side of those authorities, not to harass individual feelings unnecessarily, or to put them to trials, which they might not, from human infirmity, be able or sufficient to sustain. Though a soldier has to exercise and practice himself to submission and obedience, in controul of temper and passion, it is not to be assumed, because he has put on the uniform and the devotedness of his order, that he has therefore cast off the ordinary feelings of his nature. These may be outraged by uncommon incidents or aggravations, so as to overcome habits that long patience and professional principles have united to confirm. When the condition of the soldier is beheld in a liberal point of view, and in which it ought ever to be beheld, it would infer a species of cowardice in him, who should wantonly assail it. What a soul must that man have, who would irritate him to resentment, when the consequence of resentment, which in an indifferent person would be innocent, in him would be a crime?

But it is doubtless the business of a wise Government, to compass its strong measures, by means as mild and moderate, as the accomplishment of the ends will admit. The wisdom of such a rule of action has all the authority of a political maxim, established on the practice of legislators of all ages and of all countries. On the other hand, it is a sign of mental weakness, and depravity of a meaner sort, to enforce a violent act, by violent and offensive means. Such a conduct, while it overlooks the nature of man, treats his best sensibilities with contempt, and displays, in the act of authority, all the littleness, and the groveling and the debasing qualities of private and humorous spleen. If there be anything more likely than another to stir men's passions, and to betray them out of their course, it is the wild and unrestrained exercise of power. For, when the humiliating weaknesses of individuals are discovered in the sacred organ of Government, which should be supposed free and untouched by such infirmity, it loses the best homage of respect: it approximates to the condition of ordinary beings, and it is not to be wondered, if men, having lost all respect for it, should forget what is

still due, from the essence of which it partakes.

But it is no justification, we are aware, of the officers of the coast army, to shew; that the head of the local Government had also his demerits or defects. Their offence is not to be done away by any supposed failing of another. It will be sufficient to assert once more, that no defence is attempted. But we may have the benefit of this observation, at least, from the circumstance, that if at this interval, the highest authority of the state could not keep itself aloof from the dominion of passion, that they who had less dignity and place to guard them from yielding to such an influence, may not be too harshly censured from falling into the same excess.

It would be useless, and it certainly would be painful to us, to recapitulate all the acts, succeeding one another in a train of necessary consequence, as described in the narratives, already in the possession and recollection of the reader, and which served to feed and keep alive the embers of discontent. It must, however, be noticed, that at the moment when the agitation of the army was most general, from the con-

tinued removal of officers from the service, without any of the forms of trial, the officers at the presidency were invited, in a sort of mockery of grace, to partake of the banquets at the Government palace. They were bid, and in some instances compelled as it were, to share in these splendid entertainments, whilst their hearts were breaking from the deprivations they were condemned to, by the hand which dictated the complimentary card of invitation. In insult of their best feelings, they were constrained to sit down with a man, on whom otherwise they would have disdained to look, who was the author, in their apprehension, of all their accumulated wrongs. Thus an ingenious contrivance was invented to pierce the heart and soul at the same moment, and to turn the blessings of providence, not into nourishment, but atrophy, or into a pabulum for the passions, that already fevered and consumed the frame. For not attending to this "feast of reason and the flow of soul," a promising band of youths were driven from their military studies, half-prosecuted and half-digested, to spread the liberal doctrine just communicated to them, far and wide through the army, whilst the veteran

was doomed, as it is related, but we cannot bring ourselves to credit the fact, to proceed over a wide track of country, from the coast of Coramandel to the opposite coast of Malabar, from Madras to Goa, before he had shaken off the fatigue, or had relieved himself of the expenses of a long previous march, and was sent undefended or untented, at the commencement of the Monsoon, against "the pelting of the pitiless storm." Other similar practices are mentioned, but these are sufficient for any breast not hardened or callous against human suffering.

No new contrivances were necessary to draw forth men's opinions, nor were any new means requisite to distend the chasm of disunion between the person at the head of the Government and the individual officers of the army. The measures of Government had the rare operation of turning every heart against it, and had, contrary to common experience, involved the authors and advisers of them, personally, in all the odium attached to the acts themselves. It is to be wished that, instead of pushing matters to extremes, and dwelling on the very verge of power, in nice calculation of its extent, a spirit of conciliation had been seasonably

manifested, so far as it might have been discovered, without the compromise of any leading principle of Government. Some may think that such a spirit might have been shewn, without prejudice to authority, in allowing the proceedings against the Quarter Master General to take their due course; or possibly, that this favourite might have been abandoned, even, at a more advanced period of discontent, when it had been unequivocally understood, that his ministry was odious, and could not be further continued with advantage to his country. If the opinion of the public should be allowed to have any influence on the administration of civil affairs, it should not be neglected or contemned, it should seem, in the military state. Popular clamour is sometimes delusive, but popular feeling is seldom agitated to any great degree without real and singular causes. It is always most desirable, that the love and affection of the subject should go hand in hand with his duty. Our history is not without instances, where Majesty itself has yielded, in the surrender of its immediate servants, in deference to the voice of the people. It could surely have been of little

reproach to a secondary or derivative Government to have profited by the example.

At the time to which we now allude, no circumstance of much acerbity had arisen to prevent an early and an easy accommodation of differences. The commandants of corps, it will be recollected, did not object, nor could they reasonably have objected, to the act of Government, that deprived them of their tent allowances, nor did they remonstrate on the manner, which was not very gracious, by which that measure was effected. Their complaint, so far as it had the most distant relation to the tent-contract, was bottomed on a part of the report of Lieutenant Colonel Munro, which was thought to be unfounded and calumnious, and which was regarded and treated as that gentleman's sole and undivided act. It is fit that this fact should be rightly and distinctly understood, as much misconception has been entertained of the origin of the discontents of the army, from want of information on this particular point. The abolition of the contract, it may be confidently said, formed no ingredient in the causes of the temporary disaffection towards the Government. The report alone was

supposed to be injurious and adverse to the interests of the army, and it was on that account resented. Whether a just or erroneous opinion was conceived of it, we are not now disposed to enquire. It is to be lamented, that the merits or demerits of this paper, and the matters connected with it, were not submitted to the determination of a forum, peculiarly fitted to decide on the subject; and when such decision, most probably, would have been the means of averting all the unfortunate occurrences that subsequently happened.

But the complaints of the Commandants of Corps were treated with disregard, and the right of constitutional appeal to the Court of Directors, was denied by the Government, by a positive refusal to transmit their Memorial, complaining of grievances, through the customary channel. This extraordinary proceeding was followed by the orders of the 31st of January and 1st of February. The suspension of the Adjutant and Deputy Adjutant General greatly increased the discontent, as the principle, asserted in the act, was not partial but universal, and might be extended, at will, to every component part of the army.

What was the fate of these officers to-day, might be the fate of others on the morrow. It is not to be wondered, therefore, that a common party should be made, in a sense of common danger, with the officers newly suspended from the service. The suspension of an officer at any time, even under the most flagrant appearances, without affording him an opportunity of excusing or explaining his conduct, cannot but be regarded as a harsh and severe measure. It is an act of extreme Authority, and ought not therefore to be resorted to, but in seasons of peculiar danger, or in instances of rare and extraordinary offence. To condemn, and afterwards to hear, is the practice not of a defined and limited Government, but of unbounded and tyrannic power. But the exercise of such a right, in so remote a quarter of the world, admitting that such a right lawfully exists, as by analogy it is contended, and that it is wisely and politically exercised in the particular instance, is attended with aggravated circumstances, incident to local situation. It leaves the party suspended at a distance from his home, possibly without the means of support, or conveyance thither, or, if his means be small,

there is a chance of their being exhausted on the spot, or of being consumed in the purchase of a passage to Europe, so that he may be set down in a new world, without the power of seeking redress, where alone it is to be found, and where he is to endeavour to obtain it almost under insuperable disadvantages; whilst the avenues that approach it are fully in the possession of the enemy.

The frequent exercise of the assumed right of suspension, not only forced itself as a matter of general interest on the notice of men; but led them to inquire on what precise ground a power, so sweeping in its nature, and so intolerable in its application, fundamentally stood. It was found, on examination, to depend more on analogy, and nice reasoning, than on declared and defined principle. It is not asserted in the act of George the Second, or articles of war, framed for the government of the Company's Indian army, or in any other public instrument whence the Company's authority is derived, and to which the army might look for necessary information. But though it is not to be discovered in these sources, it is supposed, by those who

exercised the right, to reside in the original power delegated to the Company by the Legislature, to raise and maintain an army ; which would seem of itself to infer, that all the necessary means, calculated to insure the objects of the grant, were at the same time intended, and by implication given. This would have been more clear to common capacities, if there had not been any laws or rules prescribed by the Legislature and his Majesty to the Company, for the maintenance and discipline of their armies, which appear in some sort to repel the implication, more especially as the *signa superioritatis* are reserved to his Majesty, in the privilege declared by the act, of framing the articles of war, to be established for the government of the Company's forces. Some jealousy might have been reasonably entertained as to the grant of so vast a power to a private body of men, and as it might by possibility be abused, and become detrimental to the King's subjects, this reservation probably was introduced. It is a power, it is to be observed, to be exercised by one description of his Majesty's subjects over another, without any communion with, or reference to, the Executive organ, or the

common laws of the realm. That it should, therefore, be subjected to some controul, or superintendance, and that it was meant to be so subjected, by the act of Geo. II. and the articles of war, is no very irrational supposition. It is true, that in the act and articles there is no provision for the dismissal of an officer, but by the sentence of a court-martial. So often as cashiering is mentioned in the articles of war, as often is it declared, that it is to be effected by the sentence of a court-martial, which would favour an inference, that so penal an act could not be carried into execution, on whatsoever account, unless under the sanction prescribed by the articles of war, in a like case. Yet cases might occur, where it would be desirable to use more immediate means for the discharge of a most dangerous individual. Such a prompt and sudden remedy is vested in his Majesty, in relation to his supreme command of the national force; and it has been therefore argued, by analogy, that the right of dismissal is inseparable from the supreme command of an army. But is there no difference in the two cases? The power vested in his Majesty is of the essence of the constitution, whereas that of the Company depends on particular

and peculiar laws, and must therefore be circumscribed and governed by them. The one is used at home, over subjects in allegiance—the other in a distant and foreign country, over fellow-subjects, who owe no allegiance, strictly speaking, but the duty of servants, yet still remain under the protection of the Crown. The course of reasoning, therefore, in the two instances, cannot be the same.

But if the right of dismissal is, by fair reasoning and necessary inference, in the executive body of the East India Company; if the right be contended for, on analogy, and parity of principle, it should be bounded by the same wise and discreet fence, which our most gracious Sovereign has voluntarily placed around it, when carried into practice. His Majesty has never, in our recollection, suffered this kingly prerogative to be exercised by other than royal hands; whence justice, tempered with mercy, is ever expected to emanate. What has been observed in respect to the right of dismissal of officers, with equal propriety applies to the act of suspension; which, as a minor, or moderated, employment of the same power, over the same subject, may be sup-

posed to be included in the greater authority. We are not disposed to consider too rigidly the right of the executive body of the East India Company to dismiss their military servants, or to narrow them in any of the necessary means for the government of their armies and extensive possessions. But, allowing them the utmost which they could themselves claim, we cannot bring ourselves to believe, that any right given to them by the Legislature, for public purposes, and to the due exercise of which a responsibility attaches, can by them again be deputed to be exercised by others at a great distance, to whom the penalty of responsibility can scarcely reach, and over whom all present controul is absolutely impracticable. Such a preposterous position cannot, it is thought, be maintained on any common principle, or even on the anomaly of the constitution of the East India Company.

The suspension of the Adjutant and Deputy Adjutant General of the army afforded an instance of as arbitrary a character as could possibly arise, and tended, accordingly, to raise a general sympathy and indignation through the army. Under the dominion of this mixed sentiment, the

officers, at the different stations, proposed a subscription for the support of one of the individuals, whose private fortune was not co-extensive with his Military Desert, and who had fallen, as they considered, a Martyr to a cause, in which all of them were equally interested. The subscription, it is almost unnecessary to state, was instantly filled. The paper, which was to convey the good intentions of the body of the army to the late Deputy Adjutant General, was moulded into the form of a letter, subscribed by a long list of names, and displayed somewhat of the feeling, it may be supposed, in which the subscription had been dictated. The proceeding is thus particularly described, as it is stated to have given peculiar offence to the Government. It is certain, that several officers were afterwards suspended for having subscribed it.

The great feature of offence, if offence it were, was the combination of parties to supply an individual with pecuniary resources, which, among other purposes, might possibly be applied the recovery of his suspended rights. But the supply of money was an innocent, if not a commendable act, unless attended with some obnoxious extrin-

sic circumstance. Now the letter announcing the subscription was considered of this latter quality. The letter, however, was of a private nature, and was addressed personally to Major Boles, and not intended for general publication. It was not framed, therefore, for any purpose of defiance to Government, nor was it calculated to that end. It passed, however, by accident into the hands of the Governor, and was converted into a fresh reason, as has already been remarked, for the suspension of several other officers.

But the paper, under consideration, was only a consequence, and a remote consequence of the subscription, which must be regarded as the primary offence, if any such can be inferred. Subscriptions of a like character, it may be noticed, were not entire novelties in India. A very memorable one must be in the recollection of every military man, having many of the distinctive features which are recognisable in this subscription. It was raised on the behalf of an officer, who had been dismissed the Company's service, by an order from the Court of Directors, for alleged causes, that had been investigated, previously, by a

Court Martial, and of which the party had been acquitted. It was esteemed, as naturally it might, if not an arbitrary, at least a most rigorous proceeding;* and gave rise to a subscription, general throughout the army, to provide the dismissed officer, as in the case of Major Boles, with an annual amount, equal to the pay of which he had been deprived. This was not a private proceeding, but was countenanced by every field officer of the army, and was promoted, with a great deal of zeal, by the Commander in Chief for the time being. So that a precedent was not wanting to justify the measure itself, whatsoever may be objected to the manner in which it was brought about.

That there are passages in the letter, which might properly have been omitted, cannot be denied. Yet it is impossible that they will admit, without putting a violent and outrageous construction on them, of the harsh interpretation given to them by the Indian governments. If by any possibility it

* The Reader will be glad to learn, that this severe and unpopular act of the COURT of DIRECTORS was afterwards most judiciously rescinded, when its effect was known, by a voluntary and gracious recommendation of the Court itself, to the body of the Proprietors at large. Would that the liberal policy of this decision, had been recognised by their servants abroad !

can be supposed, that the last paragraph conveys the sense of a declaration of adherence to one another by the subscribing parties, the spirit of it, it must be understood, is confined to a particular case, of an officer suspended for obeying the orders of his Commander in Chief, and such could not be expected very often to occur. The adherence cannot be tortured to a greater extent—and the guilt of it, if any, must depend on the justice of the Act of Suspension, which is not to be taken as defined by the mere exercise of the act, but is to be declared by the decision it is afterwards to receive. The act is even now *sub-judice*, and may be affirmed or not by the power to which it is referred, as well by the Government itself, as by the parties suspended. The first blush of the paragraph shews an anxiety in the writer or writers of it, to make the bounty tendered agreeable to the object of it; by stating, that it is such a relief that ought to be accepted, and that is claimable under like circumstances, by every member of the army of his common brethren. It is scarcely possible to put another construction on it, unless it be taken in a most illiberal sense. It appears to be an effort and expression of delicate and refined benevolence; it might

have been made and uttered, perhaps, in a way less liable to exception. But the intent must be examined, and not merely the deed. It was not resorted to, as has been explained, as a weapon of annoyance to the Government or any other, but as an instrument of peace and comfort to an individual; not meditated as an act of public wrong, but an exertion of private good-will; a manifestation of a kindly attention to a comrade struck off from their society, and thrown helpless, without any acknowledged or investigated crime, on the charity of the wide world! The intention of rectitude will not be refused here, when it is willingly granted to those, who urge, with a boastful ostentation, daily subscriptions for suspected Patriots, who are smarting, horrible to relate! under the cruel and overwhelming pressure of the successive and unsparing verdicts of their country.

At the time that the letter to Major Boles was in circulation, it appears, that a memorial,* stating the aggregate grievances of the army, intended ultimately to be presented to the Supreme Government, was also submitted and proposed for general signature. Whether this paper might have

* Appendix I.

received the approbation of the great body of the army, or have been stayed in its progress by the expression of dissent on the part of numbers, to whom it might have been afterwards offered for signature, cannot now be ascertained. It was interrupted in its inchoate state, and no place of repentance was allowed between the time of the intent, and the proposed point for the execution of it.

This paper was put into the possession of the local Government in an imperfect form, and without a single subscription appearing at the foot of it; and was forwarded in that condition to the supreme Government of India.

These acts, or half-perfected acts, occasioned, as has been intimated, the suspension of several officers from the service, and of many more from their staff and army appointments. As these removals, like the former, took place without any formal or known investigation, they served, of course, to swell the breath of discontent. The orders, directing these suspensions, were published on the 1st of May;* and state the causes, though not very distinctly, why the respective parties, the

* Appendix M.

objects of the orders, had been severally marked as examples to the army. But the facts, it will be kept in mind, out of which these causes were asserted to arise, were partially assumed by the Government, and which the persons whom they concerned were not permitted to question or deny.

These orders also, in a kind of gratuitous invective, arraign the conduct of General Macdowall, the late Commander in Chief, who had been deprived of that situation, before any acts to which these orders have reference, had been contemplated by the authors of them. Neither this nor other circumstances that occurred about this period, and which have been described, most particularly, in the preceding letters, abated the agitation which seemed to be felt throughout every part of the coast army. While the whole body was thus convulsed, it was not to be expected that any wise and temperate suggestion should proceed from any of its members; and, unfortunately, the condition of civil society, giving credit to the accounts in the correspondence, was in a state scarcely less irritated.—So that, instead of the one being a corrective. from social contact, of the inflamed disposition of the other, through the instrumentality of

advice and example, they administered only countenance to each other, in the description and comparison of their supposed wrongs.

Certain of the suspended officers, and more especially Major Boles and Colonel Martin, were refused, it may not be too much (at this day) to say, on idle pretences, to proceed to Europe, though they had respectfully requested leave to embark. They were afterwards allowed permission; nay, one of them was actually ordered to go circuitously to Europe, at a time, and in a way, not convenient to him, without any alteration in his condition, since the date of his request. It is to be remarked, that in the interval, Mr. Buchan, the Secretary to Government, had been dispatched to England, for the purpose, as it was generally believed in India, of affording an *ex-parte* statement of the differences that had arisen between the Government and the Army.

In this unfortunate posture of affairs, men freely expressed to each other their common injuries, and communed together, whenever they met, on the most advisable means of redressing them. It will create but little surprize, that these accidental

meetings led subsequently to regularly appointed assemblies, and, as a natural consequence, from the inconvenience of discussing matters in extensive bodies to the formation of committees, entrusted with the direction of the affairs and interests of the body at large. This, however, is not a simple operation, and was not here the work of a single day. The danger of such a confederacy, in such a state of things, must have been foreseen by a Government, that did not entirely shut its eyes to surrounding events, or its heart to the effects, which were likely to result from them. The most striking incidents described in the narrative, happened between the months of January, 1809, and of July in the same year. Between these intermediate dates, it will be fit to inquire what the local Government had attempted, with a view to conciliate the minds of the discontented, or to convince them of their error. It need not be observed, that it is the duty of every well-constituted Government, to prevent the evil consequences of error, rather than to display its power in punishing it, when it has grown into actual offence. Now what was the preventive caution of the Madras Govern-

ment? What the means which it employed in this most delicate situation?

We are concerned to state, that it does not appear, from any thing that has come to our knowledge, that any shew even of conciliation was affected, or any measures of wisdom adopted, either to eradicate any erroneous opinions entertained, or to guard against the probable effects of them. All the reliance of the Government seemed to be rested on its power. Every act of grace was discarded from its policy. All its business was the fabrication of orders, expressive of its own strength, in the principle of its constitution, or of devising stratagems, indicative of its weakness in reducing the principle into action. Hence proceeded a variety of orders to the army, "full of sound and fury," and of acts, "signifying nothing."

The *brutum fulmen* against General Macdowall, after it was known that he was without the hearing of it,—though the orders of the Government were announced under the artillery of the Fort,—was not formed to claim the character of vigor, to which it unfortunately pretended, though it was accompanied by a command, at the

same moment, for the dismissal of the Adjutant and Deputy Adjutant General of the Army, for obedience to the authority of the repudiated Commander in Chief. The act of suspension of an officer of the latter rank, without the dull, cold, tedious, process of inquiry, was not considered to be singular enough, without giving him the company of his immediate staff. Cool deliberation and reflection, sanctioned by public opinion, might afterwards have advised, that the supposed injury of the Government might have been atoned by the punishment of the principal, without any visitation of the accessories, acting under the orders of their legitimate Head, and in a known course. Such counsellors, and such advice, were not likely to intrude on the visions of proud and inflated superiority. It was only necessary, in the prevailing system of action, to issue commands, and to exact and enforce obedience.

To the orders of the 31st January and 1st of February, were added the subsequent ones of the 1st of May.* We purposely pass over the mediate mandates, dismissing and dispersing a variety of officers from the Presidency, for the high crime and misde-

* Appendix M.

meanour of not privately admiring the society of the protégé of Government—Lieutenant Colonel Munro; as if the affections and courtesies of men were to be regulated by the tat of the drum. The last-mentioned orders, like the preceding, laid the defalcation in the duty of the army at the door of General Macdowall, who had been the cause, as it was insinuated, why any doubt was entertained of the supremacy of the civil Government, in military as well as general affairs;—a doubt that might have been the parent of the succeeding acts of insubordination, which these orders deprecated and punished. Happy had it been, if even at this date, though it had tardily presented itself, the idea had occurred, that as the guilt had been principally, nay, almost wholly assigned to the agency of the Commander in Chief, for the sake of the high example, the punishment might be confined to him. No; it was thought that the dignity of place was better consulted by adding a long list of names to the scroll of the proscribed.

It is difficult to view the conduct of the Government, just at this interval, without some compassion for its weakness.

Anxious to make a display of its greatness, it fell, as the correspondence shews, into the meanest arts for impressing it. Loth to discover any symptom of grace, at the commencement of the differences, it suspended, without any urgency, the Commander in Chief's staff; and when it perceived even that this measure produced a general disgust, instead of voluntarily repairing the apparent, or imagined injustice of the act, by a gracious restoration of the suspended officers to their former stations, it truckled and bargained with the only remaining gentleman on the spot, for the purchase of his restoration, at a price which he would not condescend to pay for it—the admission of a fault, of which he was unconscious. The reader will observe, that we are alluding to the coquetry, first of a Member of Council, and then of General Gowdie, in order to induce Major Boles to re-accept the office of Deputy Adjutant General, on the easy terms of an apology; which that very conscientious officer, though urged to it by numberless near and tender motives, had the magnanimity to disdain.

Beyond these orders, and some contrivances, not very remarkable for the

policy in which they originated, we have heard not of any active measures pursued to quell the rife spirit of discontent, or to obviate the ills that might possibly flow from it. On the devices, adopted on this occasion, we shall be excused from dwelling at any length. Though they were new, they are not very interesting; and though some of them were successful, the success does not seem to make amends for the sacrifice made of the principle in the means adopted for the attainment of it. The first of these was, the experiment (and how mortifying must have been the issue?) to ascertain how much the person of the Governor was held in disgust by the individual officers of the army. Hence proceeded the invitations, the rejected invitations, to the Government House, which men, rather than accept, abandoned eligible situations, lucrative employments, advantageous society — every thing but honorable sentiment—and exposed themselves, we blush to write it, to unhealthy and destructive climates, to comparative penury, and to the confinement of their own houses.

The next experiment, though somewhat later in point of time, was as complete

in its discovery, as the antecedent one, and perhaps equally as mortifying. This was made, through the medium of the test, directed to be administered to every officer in the army, which was the immediate cause of demonstrating, that the Governor, if possible, was as little regarded as the man. About 400 officers are said to have refused their subscription to the test, not so much, it is added, on account of the letter or spirit of the instrument, but the extreme obnoxious instructions with which it was accompanied, and of which every officer was duly informed, before he was desired to subscribe it. If it were the intention to obtain, generally, the signatures of officers to the test, which scarcely can be imagined, the manner of requiring it was the most clumsy, ungracious, and inefficient that could have been counselled. But we have not hitherto had the pleasure to observe one act of the Government blending any sign of grace, with the principle of authority.

There are one or two measures, indeed, that we shall take the liberty to mention here, which grew out of this unnatural state of things, though not exactly in the order of time in which we have hitherto con-

sidered events, but which must with justice be acknowledged, as having completely answered all the expectations of the head which planned and advised them; we refer to the stratagem of detaching the King's from the Company's officers, whom they had shewn more than a disposition to espouse, and to the various schemes practiced with particular corps, and through particular agency, by promises and bribes, to alienate the minds of the native soldiery, for a while at least, from their European officers. Of the prudence and wisdom of this latter act we forbear to speak at present, though it may be shortly adverted to hereafter.

Besides these remarkable and noticeable transactions, we are unadvised of any public measures that were embraced by the Madras Government, at this awful and eventful conjuncture. The supreme Government communicated, as it seems, during this anxious interval, with the local Government of Fort St. George, but made no effectual effort to assist it further, than by issuing long and laboured instruments, commending and confirming all the proceedings, without a single exception, of the subordinate Government.

It may be expected that some notice should be taken, in this place, of the celebrated letter of Lord Minto, under date the 27th of May, as it has been treated by some persons in India, and even in this country, as a composition of peculiar excellence, and most happily adapted, as it is said, to the time at which it was written. That the high character given to this production may not operate as a species of imposition on plain and incurious judgments, it may not be unseasonable to inquire into the intrinsic merits of it, in order to ascertain whether it be entitled or not to the reputation it has acquired.

The intent of this paper is ostentatiously declared, at the first opening, as the application of a "Restraint, or Check, to the Progress of Error," by the "Promulgation of sounder principles." It is written with the express design of discountenancing all deliberation in the army, and of rendering it subordinate and subservient to the will of the executive Government. It inculcates on principles, which we have no inclination to controvert, the most pure doctrine of passive obedience in general military contingencies, with certain modifications as applicable to particular cases. In an official

writing of this description, it is to be expected, that any statement of undefined principles, or any application of them to doubtful and questionable premises, should not find a place.

But it is to be remarked, that throughout this long and laboured paper, there is scarcely a solitary allegation that is not questionable, in point of fact, or any one deduction that is not more than questionable in point of reasoning. It sets out with a string of truisms, in respect to military combinations, so trite, that the merest military proficient could not be ignorant of them, though they are promulgated in the language of the noble author, for the information of the profession! It then proceeds to examine the acts of the Government of Fort St. George, as connected with the preceding transactions.

The first circumstance noticed in this extraordinary document, is an alleged memorial* of the officers of the Madras army ; a paper which is every where considered, by Lord Minto, as an authentic and perfect instrument in all that it purports to be ; whereas, at the commencement of the letter, it is described by his lordship, as a *proposed* memorial to the address of the Governor

General; and might, or might not, according to subsequent circumstances, have been completed and forwarded to that address. Until, however, it had come into the Governor General's hands, in that ripe form, and in that official way, it was not on any fair principle to be held in the light of a regular and formal document, so as to involve the writers of it in the responsibility attachable to it as an act fully executed. Any other consideration of it cuts off from those, who may have rashly meditated a deed which prudent council and reflection shews to be erroneous, the desirable opportunity of tracing back the first step towards crime.

Though the intended memorial cannot be a subject of commendation, it does not appear to be so offensively reprehensible, as it is stated by Lord Minto, nor is it replete with all those flagrant and mischievous principles, with which it is declared to abound. It is assumed in his Lordship's letter, to be the main aim of the memorial, to assert the right and privilege of the army, to cashier their Governors at will, whilst the whole tendency of the memorial, as it is called, is to endeavour to prevail on the Governor General, by the representation of many harsh

acts of the subordinate Government, to exercise the authority resident in him, and not foolishly supposed or pretended to be in them, to rescue the army from similar occurrences, injurious to the State, and hurtful, as represented, to the universal feeling. It is intreated that this may be done by relieving them from the controul of their present ruler; but the memorial presumes not to dictate in what manner it should be executed; whether by suspending the whole authority of the inferior Government, or restraining it within its ordinary bounds, so that it could no longer press on the affairs and general business of the army. It is nowhere suggested that the army had any inclination, much less any right, to redress their own detailed injuries. But, on the contrary, the whole bearing of the memorial tends to seek redress, we wish to say nothing of the language in which it is sought, at the hands of the Governor General, and through the medium, for it could not otherwise be attained, of the very Government of Madras. Where, then, are we to look for the dangerous doctrine that the Governor General has conjured up to terrify himself and others? unless it may be thought to lurk

under the expression, broadly intimated, of an intent of the best part of the army to resign a service, rendered intolerable and disgusting.

This paper is again misinterpreted, when it is stated, as in the Governor General's letter, that it claims a further right and privilege, on the part of the army, of having a representative in council. But where is such a claim set up? Certainly not in the memorial; and therefore all the learned argument, built on this assumption, all the illustration of the military condition by many beautiful allusions to maxims borrowed from the civil constitution, tumble headlong to the ground. There is a profusion of good writing, and good principle; but it is out of place.

A general concern is expressed in the memorial—but this is all—that the army have not a representative, as it is described, perhaps not very accurately, in the Council of Fort St. George,—as for some years, previously, they had,—to which circumstance is imputed a great part of the grievances of which they complain. If a military counsellor had been present at the public consultations, it is imagined, from his know-

ledge of military practice and feeling, that many of the grounds of complaint would not have arisen, and which at length had made it necessary, as it is added, for the memorialists to implore the "gracious interposition of the Governor General in Council." The appeal is made here, as in the former instance, not to any fanciful right in themselves, as again misrepresented, but to the actual authority of the controuling, or Supreme Government. Why are all these fearful phantoms created, except to show the power of the mighty magic that can lay them?

To the secondary grievances, stated in the memorial, the letter next refers, and which are described to have arisen out of the release of Lieutenant Colonel Munro, and the suspension of Colonel Capper and Major Boles.

The first is alleged to be an "act of grace," and some wonder is expressed that such an act should have occasioned any thing but good will. But if it be an act of grace, it is of a very novel hue, unless the phrase shall be taken to have simple reference to Lieutenant Colonel Munro; there can be no doubt either of the intent or

operation of the act to that individual. It was but too plain to the army to observe, that this was a studied compliment to him. But what was an act of grace to Colonel Munro, was an insult to the feeling and understanding of the general body of the army. Why scoff them, therefore, with such terms at the very time that the door of justice is rudely closed in their face? While the fancied wrongs of the one are promptly remedied, the injuries of the other, loudly, but decorously preferred, are dismissed uninvestigated?

That specious distinctions were made in the two cases, is allowed: but, in despite of all subtilties, it is plain, that the question was with Colonel Munro, and the Commandants of Corps, and not between the former and General Macdowall, as Commander in Chief, to whom it is shifted in the letter of the Governor General. Nor was the matter entangled, as is also ingeniously inferred, with any fine-spun niceties respecting the power of a subsequent Commander in Chief over the acts of his predecessor: nor was any difficulty presented by the circumstance of the report out of which the charges arose, having been

approved by a preceding Commander in Chief—or if it had been approved by one hundred like authorities. All these considerations are foreign to the purpose, though they are all pressed in the letter, with much anxiety, as if they were strictly in reference to the subject—and numberless shewey arguments are drawn, adapted to the petitioned premises, but not apposite to fact as they stood. The report, it is fair to conclude, was taken, when it was originally delivered in, to be true in all its tenour; but if it were not so, in point of fact, it could not become so by any subsequent approbation proceeding from any source however high, or howsoever often confirmed. If such report, in any of its statements, worked an injustice to any individual or body, it was his and their right, the moment such injustice was felt, to complain and to be heard, so that the complaint was made through the proper channel. The authorities who adopted the report, approved it only in so much as it was conceived to be correct, and as it appeared to hold out a just opportunity for an œconomical arrangement. They viewed it in no other light than as an ex-parte statement—and, as such, liable to

be arraigned, if it interfered with, or infringed upon, any private interest. An accredited officer, it may be admitted, and, on the reasoning of Lord Minto's letter, is protected, in all his measures within the scope of his employment; but it cannot be denied, in the resulting conclusion, that if he exceed, and step out of the boundary of his commission, wantonly to inflict an injury, that he must answer for it to the offended laws of his country. The authorities, under which he acted, are not disgraced by his responsibility; for they had no share in his offence. They desired legitimate proceedings; if they be otherwise, it is not their reproach. Nothing is decided here, God forbid! in respect to the conduct of Colonel Munro—but a general principle only is laid down. It is contended that, as certain charges were alleged against that gentleman, by certain avowed prosecutors, preferred in the usual manner, and in prescribed time, and to a competent tribunal, peculiarly appointed by law to take cognizance of the offence embraced by the charges, that no power could lawfully take him without the hands of that tribunal, until he should have been duly delivered of the charges. It was

competent to Colonel Munro, of course, to urge all or any of the matters stated, referring to his official relation, either in justification or excuse; and it would be injustice to the military court to suppose, that it would deny him the advantage arising from any exculpatory evidence. But it is absurd to conclude, that he should commit a possible offence, without any possible punishment. The constitution knows not but of one, who is superior to all question; we have never, till this instance, heard of the same exemption having been arrogated by any other.

All that is insisted on in the memorial, is, that Colonel Munro was not above the law—whether it could reach him in the particular charged, was a matter to be determined—it has never yet been determined. All the argument in the letter of the Governor General will not overturn, in our humble opinion, the simple statement of the fact, to which we have almost wholly confined ourselves.

Lord Minto, having defended the Government of Madras, for the unprecedented act of the liberation of Colonel Munro from his arrest, criticises, in the most

free, and, it may also be said, the most indecent terms, the conduct of the late Commander in Chief, in having dared to censure, in public orders, the minion of the local Government. At the time when his Lordship reprobates the act of General Macdowall, he was acquainted but with one of the grounds on which the General's censure was founded—the supposed and military appeal of Colonel Munro to the civil power. Neither his Lordship, nor any other party, could have known the particulars of the personal disrespect shewn by the Quarter Master General, to his immediate Commander in Chief, stated in the general orders of the 25th of January, as the primary and most striking feature of the offence. To pass, therefore, an indiscriminate sentence on General Macdowall, who had been unheard, and whose conduct had not been sufficiently understood, gave a practical gloss to the transactions on which his Lordship was commenting, and which the army, at least, imagined to be governed by a narrow and party spirit. Of the order itself, little need be said—but that it was supposed by Lord Minto, as well as Sir G. Barlow, to have a tendency to implicate, in an indirect course,

the act of Government, as connected with the release of Colonel Munro. But the General is not to be condemned for aiming at his victim, merely because the shadow of power chanced to rest upon it. Not intending here to enter on the defence of the General, we shall advert briefly to the effect of the order, when published; which was, the suspension of the Adjutant, and Deputy Adjutant General, from their respective offices, and from their rank in the service; and for the avowed and sole cause, of their having given publicity to the order of the Commander in Chief. To the exercise of this power by the Government of Madras, the letter subsequently refers, and considers and approves it in unqualified terms.

It seems somewhat curious, as the letter of Lord Minto appears to have been written with the direct intent of restraining all deliberative propensities in the army, that the suspension of these officers should be defended on the ground that they did *not* deliberate as, it is argued, they ought. It is generously admitted in the letter, that subordinate officers, generally speaking, are obliged to obey the orders of their superiors, without presuming to question them. But

then the rule is liable to a certain relaxation ; and the exception is, that they are not obliged to shew obedience to an illegal order ; of which description the order under consideration is alleged to be.

But why is the order supposed to be illegal? Not certainly from the source whence it flowed. It is admitted that General Macdowall, at the instant, was in possession of the office of Commander in Chief. But it is said, that the illegality lay in the body of the orders. It was plain to see, as the letter argues, that Government was tacitly reprimanded in the reprimand overtly given to Colonel Munro. But it requires more sagacity than we are possessed of, to espy this purpose in the order taken by itself. But it seems, if we may credit the letter of the Governor General, that there had been a direful misunderstanding between the Government and General Macdowall, and that many sharp retorts had passed between them ; or, in the words of the letter, " that there was a warm and " vehement discussion between the Com- " mander in Chief and the Government." And it is stated, that it was impossible that these things should have been unknown to

the General's Staff—and thence it is concluded, that they should have refused the direct order of the Commander in Chief. Now, what is all this but ascribing to men a knowledge of facts, of which they might have been utterly uninformed, and claiming a right to punish them for their ignorance? Nay, further, if this passage in the letter means any thing, it would convert the Adjutant and Deputy Adjutant General into Judges of the warm discussions of the Government and Commander in Chief, to decide not only who was wrong—but to debate on all their public acts, in order to ascertain whether they were tinged or not by the spirit of their private feuds. This would seem rather a novel way of supporting authority, or of carrying on the concerns of an army. But this is seriously insisted on at the time, when obedience and non-resistance is preached to the orders of superiors!

Never, we believe, was mixed together such a strange compound, of what is right in principle, and erroneous in application. We subscribe most readily to the recognized doctrine, that men are not obliged to obey an illegal order. But we should be very tender

in carrying this doctrine into the camp ; lest we might involve military men in difficulties, where they have not many, or very ready means of extricating themselves. If the orders in question were to be taken as a precedent, it would require not a little nicety, or special pleading, in the examination of the commands of superiors. The time for action would be consumed in deliberation on the import of the orders received, and all the circumstances related with them. If we have any just conception of the real extent of the rule, we should deem it to be narrow indeed, and it has become fit that it should be defined and well understood. The illegality of an order, as we consider it, must be collected not from the letter or phraseology of an order, but from the *thing* commanded to be done. If that be plainly and manifestly illegal to common capacities and understandings, the order ought not to be complied with. For the sake of illustration—if a soldier were ordered by his officer to fire on a quiet, peaceable, and unoffending citizen in the street—it would seem to require no great intellect to understand that he ought not to obey the command—or, if he were directed to rob a house, if such a

direction could be supposed to be given—In cases like these, disobedience would not only be excusable, but commendable; but we can hardly think, in cases less clear and perspicuous, that any subordinate military agent would be justified in disputing the authority of his principal. To argue that an inferior officer should look into the construction and recondite meaning of every sentence in an order given to him to execute and consider all its bearings, with his knowledge of supposed circumstances having reference to it, seems a bold undertaking, and not hitherto to have occurred to any man in the possession of ordinary sense.

As the address to Major Boles has been noticed in an earlier place, and the nature of it considered at some length, we shall not resume the subject, though it is one of the leading topics in the Governor General's letter. What we have before said, will be a sufficient answer on this head; and we are anxious to dismiss the paper before us.

Whilst the two Governments, instead of pursuing measures suitable to the ends of their avowed policy, and calculated to inspire a prompt submission to their behests, were busily employed in arguing with the

passions, and writing and beating down, as they supposed, the pretensions of their discontented military servants, the latter were allowed to brood over their original grievances, till they were habituated to the employment, and which derived a fresh interest every day by the occurrence of new incidents. If the mind grew frantic at last, by ruminating without interruption on the accumulation of real or imaginary evils, it will not be viewed, we are certain, either by the philosopher or statesman, among the number of supernatural effects.

We are constrained to remark, that the conduct of the discontented, at the close of the month of July, underwent a most material change. It was no longer distinguishable, as heretofore, for passive obedience, but impatience of all controul. It became offensive to Government, by demanding a revocation of its acts, and at last, in defying its authority. They who know how easy and imperceptible are the transitions from one extreme of passion to the other, will not be surprized at the quick succession or order of their events, according to the different degrees of irritation. However we may be grieved in recording the fact, we shall not

attempt to deny that, in the sequel, the majority of the officers on the establishment were involved in a most unquestionable state of mutiny. The unhappy excesses into which they were successively hurried, we should have no pleasure in retracing, nor would the reader take any delight, we are assured, in re-perusing them. We shall be more readily excused in passing over them as speedily as we can, since they are truly and circumstantially set forth in the foregoing pages, with their immediate causes, and eventual effects. Though a justification cannot be offered for them, they are not, as we must contend, wholly without apology. The provocation, as has been explained, was neither simple nor light ; nor were the ultimate steps retorted to, for the redress of their wrongs, though most indefensible in themselves, attended by any ferocious or daring incidents, or directed with any other aspect than the remedy of their supposed injuries. It does not escape us, that the greatest possible offence of a military nature, is that which is now under our consideration. The framers of the military code, seeing how men, acting generally in a body, may inadvertently fall into this heinous

crime under the impulse of passion, unless restrained by checks always present to them, have exhibited peculiar pains to guard against the completion of the offence, by declaring it to be a crime of no secondary quality, in any officer who does not do his utmost to prevent it. To what moral consideration then is the conduct of those liable, who assume the full exercise of military supremacy, and consequent responsibility, if they neglect to repress acts having a manifest tendency to insubordination, by the seasonable introduction of the strong arm of power, but stimulate to further excesses by paltry and petty provocations? If the natural checks were wanting here, that were intended ever to be present, and if, from the absence of these, crime has been permitted, which might not otherwise have been consummated, it may amount, by no forced construction, to a partial extenuation of the offence. But if, in addition to this, the temptation to the offence was as strong, as the preventions against the commission of it were weak, the apology for it would become in proportion less difficult and fastidious.

They who consider the grievances, singly and separately, under which the

coast army conceived itself to labour, may be unable to descry any one grievance of sufficient magnitude to threaten the awful events which have ensued. But a succession of trivial injuries, as they seem to evince a fixed temper of injustice, so they seldom fail to stir up a resentment and resistance, in which the intrinsic merit of every individual act is lost in the sum of the whole accumulative account. If insult, too, accompany the most insignificant act, it gives to it a distinct feature, and lends a frown to it almost challenging defiance. They who have concluded, from what they have yet known of the late transactions on the coast of Coromandel, that no adequate causes existed for the occurrences that have unfortunately taken place, may perchance forego a part at least of their previous opinion, on a re-examination of the events as they arose.

It is deeply to be lamented, that the reiterated complaints arising out of the detailed grievances of the army, were either miserably misunderstood, or the probable consequences of them much underrated or misconceived by the Governor General of India : or it would seem that it should have

been among the first measures of his policy, to have introduced the presence of the supreme authority in the seat of disaffection. The crisis of the times was difficult, important, and sufficiently knotty to demand this extraordinary interposition. There were causes enough of dissatisfaction. The cries of complaint were loud enough to have roused almost the dead. But the Governor General did not awake from his trance until the flood of discontent had rolled from the coast with a stormy violence into the many mouths of the Ganges. Of the value of a sage, temperate, and respected Mediator, at a tempestuous moment like the present, to compose the swelling surge, no one can form perhaps too high, or too favourable an estimate.

Ac veluti magno in populo cum sæpe coorta est
 Seditio, sævitque animis ignobile vulgus,
 Jamque faces et saxa volant, furor arma ministrat :
 Tum pietate gravem ac meritis si forte virum quem
 Conspectere, silent, arrectisque auribus adstant ;
 Ille regit dictis animos et pectora mulcet. VIRG.

Alas ! no mediator was here, until the waves had exhausted their fury, and had sunk fatigued into a calm.

Lord Minto left not his courted retreat at

Calcutta, until the 6th of August, and arrived at Madras about the 11th of the ensuing month; when the last deed had been perfected, had been signed in blood, and sealed with the lives of men. His Lordship reached Madras just in season to record, that the wisdom and energy of the Governor, his compeer, had been able to achieve the prudential ends of his policy, by restraining the violence, which his own councils had unhappily induced.

In describing the extremity of these fatal transactions, if any one hereafter shall have full materials, and possession of feelings suitable to the task, he will not forget to note that, however stirred by repeated wrongs, however stimulated by excessive provocations, however depressed into despondency, however raised into frenzy, that the misguided members of the army, though temporarily estranged from the person of their immediate head, never once lost sight of the great interests of their country. That if they had been equally intent on the accomplishment of their own purpose, as they were determined to protect the rights, at all hazards, peculiarly entrusted to their safeguard, such purpose would have been completely effected. For

what, at this juncture, could have been successfully opposed by the Government to the arms of the Hyderabad subsidiary force, aided by the whole of the Company's European troops and artillery, if it had marched at the time proposed to the walls of Madras? and from which course it was alone diverted by the call of the resident, not by the sway of any personal persuasion, but by the solemn representation and assurance of the public danger that would ensue. Forty thousand Mahratta cavalry were at this time hovering on the borders, and only waited for the signal, to pour immediately on the anticipated deserted districts.

He will not forget, if he shall write at a season when heat and party shall have subsided, to describe in the strain, not of eulogy, for the occasion unfortunately precludes it, but of plain and simple truth, the devotedness of the corps before the fortress of Seringapatam, where they suffered themselves, in ranks, to be mowed down by the devouring sword, in a spirit of indurance and of suffering, which, in another cause, might have claimed, and have been allowed, the virtue and the meed of martyrdom.

In the casual exculpatory observations

that we have offered on the behalf of the officers of the army, and the circumstances of extenuation that we have ventured to state, let it not be understood that we are generally advocating their cause; that we are attempting to justify acts that cannot admit of justification.

— Pudet hæc opprobria nobis,
Et dici potuisse et non potuisse refelli.

It will not be over-looked, however, that in the prosecution of our subject, we have exhibited a shew, at least, of care to set some doctrines at rest, which, if received on the high authority promulgating them, would have a tendency to disturb that tranquillity which they proposed to secure. If we have not spoken more decisively of the offences of the orders, which have been admitted even by themselves, our conduct has been governed by authorities greater than our own. An amnesty is said to have been thrown over all transactions that are gone. May they be remembered no more, than as examples for future government—though the effects of them may be felt, when the precedents themselves shall be utterly forgotten.

Of the immediate consequences of these

lamentable events, we shall not be required to speak—they are fresh in the mind of the reader. Of more remote ones, it may be thought, that we should take some passing notice. These, however, though they may not lie immediately at hand, are yet at no great distance from us, and are, avowedly, so natural and so obvious, that we cannot be long delayed in our reflections upon them.

Among the latter may be reckoned, first, the impossibility of dependence, for a time at least, of the Government on the army—than which, in local circumstances, perhaps, a more extensive evil could not well be fancied.—Next, the disunion, on all occasions, when joint operations may be necessary, between the King's and Company's officers—and scarcely in a secondary degree, the separation of one description of officers on the same establishment from another, between whom a distinctive mark, which is scarcely to be obliterated, is now, for the first time, placed. And not among the last consequences is to be noted, the utter destruction of all tie and ancient reliance between the European officers and the Native soldiery—and of the latter with its officers. That these things must result,

it were almost impossible for the most bigotted to deny, or the most interested to doubt.

That events more destructive have not already ensued is more ascribable, we are obliged to say, to the forbearance of the army, than the prudence of the Government. The latter are not to be thanked, if we may give evidence to the accounts received, that the provinces entrusted to their keeping, are yet in their possession. They have been endangered beyond any former example, within our recollection, or reading. Did we say HAVE been endangered? Alas! the danger has not yet passed. It hangs tremblingly over us even now, and is suspended only by a hair. The wretched device which has been hatched in a fatal hour of policy, or rather of fatuity, to purchase the service of the Sepoy, which, if not commanded, was of no substantial worth, in contradistinction to his officer, has not only burst the bond between them asunder, but has made him an object of traffic—to be bought and sold for the purpose for which he may be required. His own Government has bought him; now another may wish to purchase him on some

future occasion—and the best bidder will naturally have his services. When we reflect that four-fifths, and more, of our armies are composed of men of this description, need we do more than state the fact, to condemn the practice?

When it is recollected how many of our frontier garrisons in India are defended only by native troops, with a small, a comparatively small, proportion of European officers, how slight must be the terms of future tenure—how unequal the opposed powers to create a balance in conflicting and adverse contingencies—and how inadequate the security resulting from the emanation of the authority of the state through the medium of its officers? We shudder, as we pass even thus lightly over the possible effects. The task of looking at probable incidents, though in this general way, has become already so distressing, that we turn from it with disgust.

We have said sufficient, we would hope, to engage the attention of the proper authorities in this country, to the consequences that may, nay, that will, result, unless some timely means are used to prevent or to avert them. If his Majesty's Ministers, at this moment, are occupied by

matters of nearer concern, and of paramount importance; and heaven knows, at this most momentous and unprecedented crisis, that they have cares enough around them, without the pressure of distant incumbrances,—if they should not be able to lend the benefit of their councils to the crying and urgent necessities of our affairs in the East, it will be doubly incumbent on the Court of Directors, we should presume, to give them the most serious and grave consideration.

If their possessions be dear to them—if they have an interest in their preservation, we conjure them to watch, night and day, with a never-ceasing anxiety, over their trust. Let them take a fair and bold view of the dangers that impend, and apply every vigorous and honest mean within their power to repel them. They are a thinking body of men, and, we would conclude, without flattery, that they are also a wise association, when they undertake to think for themselves. We trust they will not lend themselves up, unsuspectingly, at the awful moment of their affairs, to the advice of individuals, who, to speak no worse of them, have produced that melancholy crisis, which has filled

the whole country with consternation and dismay. Let them examine, comprehensively, the events which have happened with their own eyes, and we shall look with confidence to such decision, as the necessity of things requires.

None of the calamities that have happened can be ascribed, with fairness and with truth, to any mistaken proceeding of their own—except the removal of the Commander in Chief, from a seat in the council, may be viewed in that relation. But the surest and best amends have already been made for this unfortunate policy, in the revocation of its principle, and in the arrest of its effects. The Court of Directors, therefore, will feel their conduct free and unrestrained, in the full range of the inquiry, which we zealously recommend. Fortunate, indeed, it would have been, if the necessity of such an investigation had been obviated, by the exercise of a preventive caution in India, operating upon, and restraining the manifestation of, that early spirit, which, in its full growth, produced so many and such mighty mischiefs. If the shame and the reproach of these deeds could be now done away, what sacrifice too great, what

sum too large, for the accomplishment of so signal a service. Yet these might have been once purchased, Oh! that wisdom had intervened! at an easy and a small price. If an obnoxious, we will not say an offending, member and minister of the army, had been rendered up, not to the clamours of a military public, but to the course of military justice. How sincerely is it to be lamented, that the authority which should have consulted the popular feeling, was alone busied and delighted with the demonstration of extreme power, instead of using its true strength in moderate and temperate rule, sweetened by the ministry of grace.

If we have spoken with more freedom than may be supposed to become us, of great persons, and of dignified offices, our excuse is, that we were desirous that the eminence of station should not dazzle weak eyes, and so conceal the urgency of inquiry. If the times were more smooth, we should have been inclined to be more courteous.

It may be considered presumptuous and arrogant in us, to point out the line of policy which should be adopted in the diffi-

culty of our Indian affairs. One or two suggestions, however, we shall hazard, though it should chance to expose us to the severity of such a censure. It will be not among the last endeavours of the Court of Directors, to bring back men's minds, so far as it be practicable, to the state in which they stood, before extremities were resorted to. As a primary means of effecting this, we would seriously recommend, that all objects should be removed from the sight, that would be likely to excite a recollection of what has passed. In the first place, it would appear an obvious act of policy, to prevent the collision of the Company's corps, on the Madras establishment, with those of his Majesty, which have taken an active, striking, and, we will add, a meritorious part, in suppressing the late outrages. Any collision between the two services, under these relative circumstances, could not, we apprehend, be productive of much good, whilst it might keep fresh in the memory of both, what had better be consigned, and as speedily as may be, to the stream of oblivion. We will not bear it to be insinuated against us, while we are urging this suggestion, that we are throwing aside

instruments now they are no longer useful, or of creating a field and range for unshackled discontent. To release such minds, as are capable of these suspicions, from the anxieties consequent upon them, we must add, that when we advised the removal of these bodies, we intended that their places should be supplied, with an equal number of his Majesty's corps, brought from other parts of India, whence they might be easily forwarded, and not inconveniently interchanged. It would be needless to point out, that such a measure would reduce things as near as possible to their primitive situation, when no distinction, and no cause for it, had existed between the separate branches of the service.

We sincerely wish that so immediate a reparation could be made of other no less eminent evils. But it will demand more than individual wisdom to devise measures to heal the animosities which exist in the different members of the same body. It will be a work of some time and of much labour, we are afraid, of studied and of continued policy, to harmonize the distracted feelings of those who favoured separate courses of action in the late disputes; and

of those who found their safety in a neutralized demeanour. But it will be the master difficulty to restore the opinion which has been destroyed, in the division of interests, for the purposes of governing them in their separate conditions, between the native soldier and his European commander. Here is a diversified and perplexed duty, and surely a most imperious one, that cannot be executed but by the hand of Time, and by the concurrence of good fortune.

But, though no immediate means may be descried for the reconciliation of these jarring interests and passions, some effectual ones might be found for reconciling individuals to themselves. It would not appear any very arduous employment to discover the way for soothing and allaying the irritation of the army. It requires but to call into use the dictates of a natural and liberal policy. It is only to extend the principles of the amnesty, declared in India, to every individual involved in any of the stages or acts growing out of the late discontent.

It can be no great effort of magnanimity to restore those again to their rank and to their stations, who have been dis-

missed from them without a hearing, and without investigation, unless it shall have been carried on behind their backs, and have been supported by representations as partial as the proceeding itself. If there can be any reason for a momentary pause, it will arise, we are sure, from the impression, necessarily suggested by every liberal bosom, that some enquiry is due, as a matter of strict justice, to the injured feelings of those individuals, who have been hurried from India to this country; unheard, though not unjudged; whose punishment has foreran their trial; and whose injuries will not be redressed by the mere restitution of their offices. But, above all, it will be a wise exercise of discretion in the Court of Directors to reprobate, and to abolish, that baneful and odious practice, which is alone sufficient to account for all the ills that have happened, of disfranchising men of their rights, acquired by patient, and perhaps meritorious service, without allowing them the opportunity of protecting and defending their interests, or the privilege scarcely of complaint. So long as this arbitrary principle shall obtain, it will require not the spirit of divination to foretel,

that so long will subsist, however it may be suppressed and masked for a time, an universal sentiment of disgust and abhorrence. It arises from a cause so thoroughly ingrafted in our nature, as to exceed the reach of human power to eradicate or correct it. It is against the essence of justice itself, as implanted by the hand of Providence in our hearts, and as evinced in all its ways and dispensations. Let not the pride of State forbid what it is the best interest of the State to grant. Let it not be imagined, because the mutiny itself has been subdued, that the spirit which engendered it is dead. Nor let those, to whom we are now addressing ourselves, believe, that a passion which we have described to be universal, has been confined to a local habitation. If the flame of discontent, by accident or other causes, hath only yet burst forth in one place, let them not flatter themselves that it has been quenched and extinguished in all; but rather fear,—for there is but too much cause for such an apprehension,—that it is only smothered for awhile, and may blaze forth, unexpectedly, with a fury, redoubled by the circumstances

of its suppression. Let them be wise in season, and from precept, and not wait for the instruction of further calamitous events. But in a disposition of grace and favor, let them lay down imaginary privileges or rights, which are not suited to the condition of things, or cannot be exercised without working extensive practical inconvenience, and, without endangering the very foundation of justice. There are none amongst the warmest advocates of this fanciful right of suspension, who can go the length of supporting it, in its full exercise, as in relation to the present acts. For, whatever power the legislature may be supposed to have given to the representative body of the East India company, it never could have intended, that it should have been deputed by them to any other, who might disband at its own will, and at its own caprice, without the shew and the form of any judicial proceeding, their best officers from the army, nay the whole extended circle of them, with a single dash of the pen. Let them renounce this suspicious and dangerous practice, and comfort themselves with this undoubted consolation, that what they may lose in power,

they will gain in reverence and respect. This act alone would call back men's duties and affections, were they estranged at a greater distance than they are. Such a willing offering to peace, would do more than a hundred examples of sanction and of vengeance. The hour may come, notwithstanding the present meridian height of our Eastern splendour, when every heart and hand may be required to secure even a safe possession. Let not any ungracious pertinacity dissever one from the other.

Let not any one represent these plain observations, as adverse to the interests, or disrespectful to the rights of the constituted body, to which they are principally addressed. They are not offered in the feeling of an enemy, but in the sentiment, and with the warning voice of a friend. If the style or manner of the address shall be deemed in some parts to be rude, the intent at all times, and in all places, will be seen, we trust, to be honest. The case in our view of it, appeared to be extreme, and desperate, and not to admit of any trifling palliatives, or more flattering digestives. It would, in our contemplation, have been an act of

dishonesty, to "skin and film the ulcerous part," and leave the Constitution to be wasted underneath, by secret and lurking corruption. We have boldly applied the bold treatment, which, in our mind, it seemed to demand, though the caustic burn, and the knife should wound.

POSTSCRIPT.

SINCE the preceding pages have been in the press, letters have been received from India of so late a date as the 22d of October, which confirm the previous accounts of the amnesty granted to the parties involved in the late unhappy occurrences on the Coast of Coromandel, and describe the particular exceptions, which are more numerous than hitherto supposed, as well as the grounds on which they had been governed, in the application of the general rule. This act of grace was declared in a General Order of the Governor General of the 25th September.

The principle on which it proceeds may be best understood from the language of the order itself, in which Lord Minto thus expresses himself:

“ The principle I have thought myself
 “ at liberty to adopt has been to limit the
 “ number of punishments, since impunity
 “ cannot be general ; and to mitigate their
 “ degrees to the utmost extent of lenity, not
 “ entirely incompatible with the public
 “ good, and the indispensable demands of
 “ justice.

“ In the execution of this principle, it
 “ has been necessary to make a small selec-
 “ tion from a great mass of delinquency, all
 “ subject in strictness to the penalties of the
 “ law; and that such a choice should nei-
 “ ther be capricious nor subject to the sus-
 “ picion of partiality, I have adopted general
 “ criterions, the principles of which are
 “ manifestly just, and the application of
 “ which to particular cases is subject to no
 “ difficulty.

“ The first ground of selection is the
 “ commission of some overt act of rebellion
 “ or mutiny, such as seizing on fortresses,
 “ or public treasure ; actual hostility against
 “ the troops of his Majesty, the Company,
 “ or its allies ; quitting the station allotted
 “ to troops without orders, or the refusal to
 “ obey the orders of Government.

“ This principle of selection would

“ liberate a considerable proportion of the
 “ army; but it would involve a much greater
 “ number than it enters into my views to
 “ exclude from pardon.

“ It is necessary therefore to select
 “ from the numerous class already described
 “ a smaller number comprized within a
 “ narrower head of distinction.

“ That selection is to consist of the offi-
 “ cers in command of stations, or bodies of
 “ troops, commandants of corps and per-
 “ sons peculiarly distinguished for a forward
 “ and violent part in the most criminal acts
 “ or proceedings of the army.

“ The whole of this highly criminal
 “ and peculiarly responsible, but not nu-
 “ merous class, will most justly be sub-
 “ mitted to a trial by Court Martial.

“ But as the Courts Martial may of
 “ necessity be bound to pass sentences of
 “ greater severity than it is in contem-
 “ plation to extend without distinction to
 “ the whole number of those submitted to
 “ trial, a more minute sub-division will yet
 “ be made, and the officers in command of
 “ garrisons, or considerable bodies of troops,
 “ will be separated, on this ground of higher
 “ responsibility, from the commandants of

“ corps. The former will be subjected at
 “ all events to trial; the latter will be
 “ allowed the option of a trial, or dismissal
 “ from the service.

“ In order that no anxious uncertainty
 “ may remain concerning the application of
 “ these rules of selection to individual cases,
 “ the names of all the officers intended for
 “ punishment, are expressed in the following
 “ list:”

Then follows the list of the officers included in the separate classes.

In the first are described those, who are to be absolutely tried by a Court Martial, and those appear to be

J. Bell, Lt.-col. Artillery, commanding at Seringapatam.

John Doveton, Lt.-col. 8th reg. N. C. at Jaulna.

Joseph Storey, Major, 1st bat. 19th reg. N. I. Masulipatam.

In the second are contained the names of those, who have the option of abiding the event of a Court Martial or of dismissal from the service, which are as follow:

Robert Munro, Lt.-col. 2d bat. 15th reg. Seringapatam.

David C. Kenny, Major, 2d bat. 19th reg. Ditto.

T. F. De Haviland, Capt. Engineers. Ditto.

George Cadell, do. 12th bat. N. I. Ditto.

H. McIntosh, do. 1st bat. 8th reg. } Marched, wt. orders,
 F. K. Aiskill, do. 1st bat. 15th reg. } from Chittledroog.

A. Andrews, Captain European reg. Masulipatam.
 James Paterson, do. 1st. bat. 11th reg. Samulcottah.
 George Wahab, do. 1st bat. 21st reg. Chicacole.
 James Sadler, do. 1st bat. 24th reg. Ellore.
 J. L. Lushington, do. 4th Reg. cavalry, Jaulna.
 A. M'Leod, do. 8th Reg. cavalry, Dito.
 G. Hopkinson, Capt.-lt. 1st bat. Art. Sen. Offr. Art. Jaulna.
 G. W. Peignand, do. H. Art. Sen. Offr. of the Corps, Jaulna.
 G. M. Gibson, Capt. 1st bat. 10th reg. Jaulna.
 Thomas Pollock, do. 1st bat. 12th reg. Ditto.
 Mathew Stewart, Major, 2d bat. 17th reg. Ditto
 John Turner, Capt. 2d bat. 15th reg. Seringapatam.

The order then proceeds:

“ It is with corresponding satisfaction
 “ and joy, I have now to perform the more
 “ grateful office of announcing to every
 “ other officer, who has been involved in
 “ any of the criminal proceedings of the
 “ army, since the 1st of May, a general and
 “ unqualified amnesty; to the benefit of
 “ which those officers, who have hitherto
 “ declined the test, will be admitted on their
 “ signing that declaration.

“ This amnesty is not granted in the nar-
 “ row spirit of mere pardon. It is tendered
 “ as an act of total and sincere oblivion; it
 “ offers on the part of Government a full
 “ restoration of confidence and esteem; and
 “ it invites from those, who are the object

“ of it, not a sullen discharge of constrained
 “ duty; but obedience which comes from
 “ the heart, and the cheerful, animated ser-
 “ vice of cordiality, affection, and zeal.”

The time will not permit us to take any particular notice of this order, or to publish any other part of it, than the foregoing short extract. This, like the former memorable order of Lord Minto, is tediously long and garrulous, though it contains some good and salutary doctrines, strongly interwoven, as in the prior instance, with many remarks, much out of time and place. Several topics are comprehended in it, which true policy would have left untouched. While the amnesty to the great body of the offenders is announced to be attended with a general oblivion, observations are unfortunately introduced in the same breath, tending to awaken and stimulate feelings freshly allayed, and before they had time to cool. Harsh and unnecessary contrasts are made, as if there had been a perverse bias in the pen, to a course foreign to the pious purpose of the writer. There are some distinctions taken in the cases, excepted out of the general amnesty, which it would seem difficult to reconcile with the prin-

ciples on which the act is stated to proceed. On this and other points, if an opportunity be allowed, we may offer some future remark. We cannot at present forbear the observation, that the measure would appear more consonant to our humble notions of what is right, if it had stood on more simple ground, or if, indeed, it had been applied without exception and distinction of any kind, and certainly without any long reasoning on an act, which if it carried not a plain and perspicuous meaning on the surface of it, could not be improved by argument or oratory, though urged by the ingenuity, or enforced by the eloquence, of the Governor General of India.

If, in our present uncertainty, we may be indulged in the expression of a hope, it is, that the numbers embraced in the preceding list may be yet lessened, by a further exertion of mercy, and on the application of a party, who had no secondary share in the acts, that brought about the extreme events recorded in the foregoing pages. Such a hope springs not only out of our interests and wishes, but is founded on a report generally mentioned in the letters just received from Madras.

It is with regret that we notice any thing which may disturb the satisfactory conclusions drawn in the order of Lord Minto, and adopted by the public, of the entire suppression of the discontents of the Madras army ; but we think it our duty to add, though we hope that the information may prove erroneous, that private intelligence suggests, that the subsidiary force at Jaulnah, had manifested a disposition to resist the orders of Government, for the arrest of the officers attached to that division of the army. With pain we have also to remark, that a part of the ill effects, anticipated by us in an earlier place, has been already realized, and that two trials by Court Martial had taken place, arising out of the temper, generated among different members of the same service, by the different parts which they took in the late disputes. We fervently wish that these may be the last!

March 14th, 1810.

APPENDIX.

Memorial from the Officers commanding Native Corps upon the Establishment of Fort St. George, to the Hon. Court of Directors of the Hon. East India Company, &c. Sheweth,

1. That we, the undersigned memorialists, officers commanding native corps upon the Madras Establishment, have the honour, with all deference and respect, to solicit the attention of your honourable Court, to the subject of our appeal, which we, with the utmost duty and submission, offer to your consideration.

2. Your memorialists beg to state, that Captain John Munro, of the European regiment on this establishment, and Quarter-Master-General of the army, delivered some months since to the Commander in Chief at Madras, certain proposals, bearing date 30th June, 1808, recommending the abolition of the Tent Contract, which, on the 1st of July last, was taken from officers commanding native corps in your army at Madras.

3. Whether the Tent Contract, as consistent with the good of the public service, should or should not have continued to exist, is a subject your memorialists will not presume to trouble your honourable Court upon; but certain articles which the Quarter-Master-General has inserted in his proposals, as motives that prevailed with him for recommending the abolition of the Tent Contract, your memorialists have to observe, no less excited their surprize, than they did the feelings of poignant concern, in perceiving such dishonourable principles so unjustly attributed to them.

4. Your memorialists will here furnish the extracts from the Quarter-Master-General's proposals, on which they ground their complaints to your honourable Court:

“ Six years experience of the practical effects of the existing system of the camp equipage equipment of the native army, has afforded means of forming a judgment relative to its advan-

tages and efficiency, which were not possessed by the persons who proposed its introduction ; and an attentive examination of its operations, during that period of time, has suggested the following observations regarding it : By granting the same allowance in peace and war for the equipment of a Native corps, while the expenses incidental to that charge are unavoidably much greater in war than in peace, it places the interest and duty of officers commanding native corps in direct opposition to one another ; it makes it their interest that their corps should not be in a state of efficiency fit for field service ; and therefore furnishes strong inducements to neglect their most important duties.

“ By charging Commanding Officers of corps with extensive concerns, immediately affecting their private interests, is calculated, particularly in the field, to divert their attention and their pursuits from the discipline and management of their corps ; objects that should furnish them with sufficient employment for the whole of their time.

(Signed) “ JOHN MUNRO,
“ Quarter Master General of the Army.”

5. Your memorialists, with the justest sentiments of deference to your honourable Court, beg to state, that these articles unequivocally convey a most cruel and wanton insult, as well as an injurious aspersion (we all feel it) to officers who have faithfully served their country, many for nearly 30 years, some more, in affirming, that upon the experience and observation of six years, formed upon the judgment of practical effect, it appears, officers commanding Native corps have strong inducements, from interest, to neglect their most important duties, in order that their corps should not be in a state of efficiency fit for field service.

6. Your memorialists conceive that these assertions, in their application with regard to time, and operation, with respect to effect, are no less than accusing them of having sacrificed the interests and security of the public service for a base purpose, and of having violated that trust which your honourable Court, which Government, and which the Commander in Chief, in certain confidence place in them. Your memorialists perceive in them also an insinuation of an utter dereliction of the pride of military spirit, in their having a wish, from pecuniary motives, not to be prepared to meet the enemies of their country.

7. Impressed with those painful sensations, which such serious imputations cannot fail to create, your memorialists, in several instances, without delay, and with all possible respect, separately

addressed themselves to his Excellency the Commander in Chief, Lieutenant-General Hay Macdowall, upon the subject of the Quarter-Master-General's allegations. His Excellency had the condescension to answer the several applications of appeal ; but in a circular reply, observing in substance, that as he had not been consulted with regard to the abolition of the Tent Contract, he did not feel himself at liberty to interfere in any matter connected with the subject, upon individual application.

8. Your memorialists have to state to your honourable Court, that, in consequence of this notification, feeling the injury done them by the insinuations in the Quarter-Master-General's minute, they adopted the means of redress which appeared to them to be most consistent with their ideas of justice, and with the duty they owe to their superiors, submitted to their immediate principal, the Commander in Chief, the substance of their complaints, in the form of a military charge ; but finding that this mode was considered by the Judge-Advocate-General to be irregular, or ineffectual towards the vindication of their injured feelings, they respectfully abide by that opinion for the present, and have solicited a suspension of the direct charge against the individual, while they appealed to the candour and justice of your honourable Court, trusting it may please them to order an investigation of the subject, as from an investigation alone can they hope for a removal of the disgraceful impressions which the insinuations in the Quarter-Master-General's proposals are calculated to produce, and which your memorialists in confidence beg to assure your honourable Court are equally unfounded in fact, as they are injurious to the characters of the officers of the Honourable Company's army.

9. Your memorialists have further to state to your honourable Court, that had the Quarter-Master-General promulgated his injurious insinuations, serious as they are, in his capacity of Captain in the European regiment, a conscious integrity might, from the repugnance your memorialists feels to complain, have treated them probably with a dignified silence, or with private dissuasive admonition ; but, armed with the authority of the Quarter-Master-General of the army, your memorialists are of opinion, that they obtain a consequence and consideration, which it is apprehended by them, cannot fail to influence the public mind, not only in India, but in Europe ; and create a belief, that a Quarter-Master-General could not possibly circulate such serious assertions, against a body of officers of that army of which he is Quarter-Master-General, without an existing just cause.

10. To remove such an impression, and to establish, upon incontrovertible testimony, that the officers commanding Native corps have faithfully fulfilled those duties which the public service expects and requires from them, are the primary objects which gave birth to that solicitude on the part of your memorialists, for an investigation. A secondary object is to stamp, with due effect, the nature of that offence in promulgating such serious and erroneous matter, so highly injurious to their characters as officers and gentlemen, as well as to the respectability of the Honourable Company's service in general.

11. Your memorialists anxiously hope, that when the magnitude of the subject of which they complain shall be taken into consideration by your honourable Court, it will fully appear to your judgment that they are not actuated in their appeal by any frivolous or unreasonably tenacious principles, or any object not strictly connected with that perfect moderation and temperate pursuit of justice, which your honourable Court in its wisdom and consideration, are ever disposed to attend to, with those who, under the feelings and firm persuasion of just complaint, claim your protection and support.

12. Your memorialists, through the medium of their immediate superior, his Excellency the Commander in Chief, Lieutenant-General Hay Macdowall, transmit their memorial; and in relying upon that distinguished liberality and goodness which have invariably marked his attention to them, to give their cause that support which in his judgment it may deserve; they will, with every sentiment of profound respect and deference, submissively wait for, and obediently conform to such decision, as your honourable Court shall, in the justness of your wisdom, determine upon their cause.

Signed by thirty-two officers, Commanding Native Corps.
Madras, December 1808.

[This was rejected by Sir George Barlow, and returned to General Macdowall.]

TO THE ADJUTANT-GENERAL OF THE ARMY.

"SIR,—We, the under-mentioned officers, commanding Native corps upon this establishment, have the honour to forward the accompanying memorial, which we request you will lay before his Excellency the Commander in Chief, Lieutenant-General Hay Macdowall, and which we have to solicit his Excellency will take such measures as to him may appear most suitable for the transmission of the same to the honourable Court of Directors.

7 “ The Commander in Chief being already so well acquainted with the general and particular circumstances that gave rise to the immediate subject of appeal, it becomes wholly unnecessary on our part to enter into any further explanation for his Excellency’s information.

“ The long series of years which the Commander in Chief has served with the coast army, and that benign goodness with which he has invariably, both in public and private character, distinguished many of those who now appeal through his authority, under a period of painful concern, creates every confidence and hope that his Excellency will, as our immediate superior, condescend to honour our memorial with such assistance and support, as in his judgment the subject has claim to, and which, we are fully persuaded, cannot fail to give it the most impartial introduction to the attention of the honourable Court of Directors.

[Signed by thirty-two officers commanding Native corps.]

“ Madras Establishment, Dec. 1808.”

[B.]

GENERAL ORDERS—BY THE COMMANDER IN CHIEF.

“ Head-quarters, Choultry Plain, Jan. 25, 1809.

“ The immediate departure of Lieut.-General Macdowall from Madras, will prevent him from pursuing the design of bringing Lieut.-Colonel Munro, Quarter - Master - General, to trial, for disrespect to the Commander in Chief, for disobedience of orders, and for contempt of military authority, in having resorted to the Civil Government, in defiance of the officer at the head of the army, who had placed him under arrest on charges preferred against him by a number of officers commanding Native corps; in consequence of which appeal direct to the Hon. the President in Council, Lieut-Gen. Macdowall received a positive order from the Supreme Government to liberate Lieut.-Col. Munro from his confinement. Such conduct on the part of Colonel Munro being destructive of subordination, subversive of military discipline, a violation of the sacred rights of the Commander in Chief, and holding a most dangerous example to the service; Lieut.-General Macdowall, in support of the dignity of the profession, and his own station and character, feels it incumbent upon him to express his strong disapprobation of Lieu.-Col. Munro’s unex-

amplified proceedings, and considers it a solemn duty imposed upon him to reprimand Lieut.-Col. Munro in general orders, and he is hereby reprimanded accordingly.

F. CAPPER.

"Adjutant-General of the Army."

[C.]

GENERAL ORDERS—BY THE COMMANDER IN CHIEF.

"The moment is now arrived, when Lieut.-General Macdowall is to take leave of the Company's army, whose ardent courage, consummate discipline, and persevering firmness, have been displayed in the achievements of those brilliant exploits which have secured its own glory, and added to the British empire extensive fertile regions of incalculable value and importance. May your patriotism, valour, and worth, be acknowledged and rewarded by your King and the East India Company, in proportion as they are known and appreciated by your Commander in Chief.

"Had Lieut.-General Macdowall succeeded to the high and enviable office with all the advantages enjoyed by his predecessors, he would, upon first assuming the command, have promulgated his sentiments on so flattering an event; but the circumstances of his appointment were so humiliating and unpropitious, that he declined addressing the army, in the anxious hope that the Court of Directors might, on further deliberation, be induced to restore him to his right, by altering the new and extraordinary forms of Government, and have enabled him to exercise the functions of his station, as the representative of the army, with honour to the service, and credit to himself; no prospect of such an occurrence being at all probable, in justice to the army, and to his own character, he has determined to retire.

"On quitting a country where he has passed the greatest part of his life, and where he possesses many dear and respectable friends, Lieut.-Gen. Macdowall cannot view his separation from a body of men he is sincerely attached to, without suffering the most painful sensations; from the nature of the service he can have little chance of ever meeting with them again, but he is bound to declare, that the whole of their conduct meets with his entire approbation, and he will boldly affirm, without danger of contradiction, that His Majesty has not, in any part of his dominions, a more loyal, patriotic, and valiant class of

soldiers and subjects, than the officers composing the army of Fort St. George. That success may continue to attend their steps; that their dearly-bought laurels may never decay; and that their bravery and discipline may gather additional wreaths in the field of honour, is the sincere prayer of a man who will never forget them.

(Signed)

" F. CAPPER,

" Jan. 28.

" Adj.-Gen. of the Army."

[D.]

GENERAL ORDERS—BY GOVERNMENT.

" Fort St. George, Jan. 31, 1809.

" It has recently come to the knowledge of the Governor in Council, that Lieut.-General Macdowall did, previously to his embarkation from the Presidency, leave to be published to the army, a General Order, dated 28th instant, in the highest degree disrespectful to the authority of the Government, in which that officer has presumed to found a public censure on an act adopted under the immediate authority of the Governor in Council, and to convey insinuations grossly derogatory to the character of the Government, and subversive of military discipline, and of the foundation of public authority. The resignation of Lieut.-Gen. Macdowall of the command of the army of Fort St. George, not having been yet received it becomes the duty of the Governor in Council, in consideration of the violent and inflammatory proceeding of that officer, in the present and on other recent occasions, and for the purpose of preventing the repetition of further acts of outrage, to anticipate the period of his expected resignation, and to annul the appointment of Lieutenant-General Macdowall to the command of the army of this Presidency; Lieutenant-General Macdowall is accordingly hereby removed from the station of Commander in Chief of the Forces at Fort St. George.

" The governor in Council must lament, with the deepest regret, the necessity of resorting to an extreme measure of this nature; but when a manifest endeavour has been used to bring into degradation the supreme public authority, it is essential that the vindication should not be less signal than the offence; and that a memorable example should be given, that proceedings subversive of established order can find no security under the sanction of rank, however high, or of station, however exalted.

" The General Order in question having been circulated

under the signature of the Deputy Adjutant General of the Army, it must have been known to that officer, that in giving currency to a paper of this offensive description, he was acting in direct violation of his duty to the Government, as no authority can justify the execution of an illegal act, connected as that act obviously in the present case has been, with views of the most reprehensible nature, the Governor in Council thinks proper to mark his highest displeasure of the conduct of Major Boles, by directing 'that he shall be suspended from the Company's service.'

The General Order left by the Commander in Chief for publication, under date 28th inst. is directed to be expunged from every public record, and the Adjutant-General of the Army will immediately circulate the necessary orders for that purpose.

By order of the Honourable Governor in Council,

" GEORGE BUCHAN,

Secretary to Government."

[E.]

G. O. BY GOVERNMENT.

" Fort St. George, 1st Feb. 1809.

" It having been made known to the honourable the governor in council that the adjutant-general of the army was materially implicated in the measure of giving currency to the offensive general order of the commander in chief, dated the 28th ultimo, it becomes the duty of the honourable the governor in council to direct that Lieutenant-colonel Capper be suspended from the service of the honourable company, and that officer is hereby suspended accordingly.

" The governor in council directs that major Robert Barclay will take charge of the duties of the office of adjutant-general, until further orders.

" By order of the Honourable the governor in council.

(Signed) " G. BUCHAN,

" Chief Secretary to Government."

[F.]

THE HONOURABLE SIR G. BARLOW, BART. K. B. PRESIDENT IN COUNCIL.

" Fort St. George, January, 1809.

" Sir,—Impelled by a laudable ambition which had long led me to aspire to the chief command of the respectable army

under this establishment, I viewed my appointment to that high office as the happiest event of my life, concluding, that I should succeed to all the rights and privileges enjoyed by my predecessors. The decision, however, of the court of directors, confirmed by the board of controul, has placed me in so extraordinary, and unexampled, and so humiliating a predicament, that the most painful emotions are excited, and I, at one glance, perceive that it is impossible to remain with any prospect of performing my duty with credit to the East India company, of acquiring for myself any reputation, or of doing justice to those over whom I am called to preside. Divested of the power of selecting for command, or of requiting the meritorious officer, by the restriction of military patronage; deprived of the respectability which in this country attaches to a seat in council, and abridged in the usual emoluments of office; it is inconsistent with the character I have ever endeavoured to maintain to hold an appointment of such magnitude and responsibility thus degraded! I have therefore the honour, honourable sir, to request that I may be permitted to resign my commission of commander in chief, and to proceed to Europe by the present opportunity. Inferring that the plan, for the exclusion of the commander in chief from council, must have been formed with sufficient deliberation, to preclude the possibility of any arguments of mine producing an alteration of sentiment on the projectors of it, I decline touching on the subject; nor will I condescend to make any reference to those, who have premeditatedly injured me, and who without a conciliating expression or any explanation whatever, have severely wounded the feelings of an officer who has served them with zeal and fidelity (with a short intermission) for seven and twenty years. In adverting once more to patronage, it is not possible to view without the deepest regret, a scheme for disconnecting the authority to command service, from the power of animating it by reward; and for allotting to the commander in chief all the invidious duties of his station without the means of softening them to the army, by acts of favour and kindness, derived immediately from the fountain head; and I may be allowed to observe that the plea of public utility ought to be clear and urgent, which calls for the extinction or abridgement of any of these rights which the army, through its natural representative, possess, or which can justify me in admitting, that an experiment is necessary to ascertain with how small a portion of power and influence, the military duties under this government may be carried on.

“Notwithstanding these observations, (which have nothing

of novelty to recommend them) and my determined resolution to quit India with the spring fleet, should you, honourable sir, be of opinion that the public service will, in any shape, suffer detriment by my departure at the present moment, I shall consider it an imperious duty to abandon every personal feeling, and to submit to your judgment, should my exertions be deemed of importance; at the same time implicitly relying that your honourable board will sanction my embarkation, when the cause of my detention may be removed.

"I beg, however, that it may be distinctly understood, that this is not meant as courting an invitation to stay. I have been offered an indignity, and my pride and sensibility would compel me to retire, even were the sacrifice greater; for I cannot tamely submit to see the exalted station disgraced in my person, nor can I be answerable to the army if I do not resist so uncommon a deviation, which deprives it of a representative.

"The accompanying copy of a letter from his excellency the commander in chief in India will inform you, honourable sir, of his acquiescence to my application for one year's leave of absence.

"I have the honour to be, &c.

"HAY MACDOWALL."

[G.]

GENERAL ORDER BY GOVERNMENT.

"Fort St. George, 6th Feb. 1809.

"The honourable the governor in council having lately adopted the measure of ordering the release of the quarter-master-general of the army from arrest, and it being desirable that the circumstances connected with that measure should be distinctly and publicly understood, there being reason to believe, that a great degree of misapprehension has hitherto existed, the governor in council thinks it proper to state, that the quarter-master-general was placed under arrest by the late commander in chief, on charges founded on a report which was submitted by the quarter-master-general, in conformity to express orders; which report having been approved and adopted by the commander in chief, lieutenant-general Sir John Cradock, was by him communicated to the late right honourable the governor in council of Fort St. George, and finally laid before the supreme government, under whose approbation and orders, it became the foundation of measures already known to the army.

"In these circumstances the quarter-master-general could

be considered no longer responsible for proceedings so sanctioned, and it would have been inconsistent with the evident principles of justice, that a public officer should have been liable to the obloquy of a trial, for an act not his, but that of his superiors—the question which in such case would have been submitted to the cognizance of a military tribunal, would not have involved only a discussion of the conduct of the quarter-master-general, but would have extended to the measures of the principal civil and military authorities in this country; measures which had undergone the maturest consideration, and which had been carried into effect under the most formal sanction—it must be apparent, that a discussion involving consequences of this nature, would have been contrary to law, contrary to reason, ruinous of public confidence, and subversive of the foundations of military discipline, and of public authority.

“ Impressed with these sentiments, it became the solemn, the bounden duty of the governor in council, on the facts being made known, by a communication from the quarter-master-general, (which, from the nature of the question, it became the right and duty of that officer to submit by direct reference on the communication having been refused by the late commander in chief) to interpose the authority of the government, for the prevention of the most fatal evils—it was the wish, it was the earnest endeavour, of the governor in council, to effect this object, by every means of conciliation and explanation; but such means having been used in vain, and having been even repelled under circumstances highly offensive, no alternative remained, but that of conveying a specific order for the removal of the arrest.

“ The governor in council desires, that the officers of this army will be assured that this government would not be less solicitous to vindicate their honour and reputation, by rejecting all injurious imputations, if such could have been supposed, than the officers of the army could have been solicitous in their own vindication. The governor in council has accordingly, under this impression, been led to an attentive consideration of the expressions which are understood to have been deemed objectionable, and he has no hesitation in declaring, that it appears in his judgment, impossible, under any correct construction, to attach an offensive meaning to words, where injury was not meant, and where the intention of offence assuredly did not exist.

“ Having stated this explanation, the honorable the governor in council deems it his further duty to observe, that the question which has been under deliberation, must be now considered

as concluded—the farther agitation of a subject of this nature could be availing for no purpose, but that of disturbing the established course of public affairs, and for the excitement of feelings injurious to order and authority, and it will be accordingly of importance to the public welfare, that the circumstances connected with it, should be consigned to oblivion.

“ By order of the honourable the governor in Council.

(Signed) “ G. BUCHAN,

“ Chief Sec. to Govt.”

[H.]

TO THE OFFICER OF THE WEEK OF THE JUNIOR
CLASS OF THE MILITARY INSTITUTION.

“ SIR,—Lieutenant-colonel Munro, quarter-master-general, having heard that the officers of the junior class of the military institution, have come to a resolution of expelling from their society Mr. Poole, for attending *at the late entertainment given at the government-house*, I am directed to ascertain if that circumstance had influenced them in their resolution against Mr. Poole, and if this should be the case, to inform the officers that they are to withdraw their proceedings against Mr. Poole, or lieutenant-colonel Munro will judge it proper to apply to government for an order, directing the gentlemen to quit the institution and join their corps. You are therefore requested to state to me what was the fact, and if it is the intention of the gentlemen to comply with the above direction.

“ C. KINSEY,

“ Feb. 13th 1809.

“ Assistant Instructor.”

“ TO LIEUTENANT KINSEY.

“ SIR,—In reply to your letter of yesterday, the officers of the military institution beg leave to state, that they conceive the 9th paragraph regulation code, fully justifies the measures they have deemed fit to adopt against Ensign Poole, and as he is a person whose acquaintance they feel averse to, they have availed themselves of the privilege therein granted, ‘to officers in common with other gentlemen, of making their own choice of companions for their private society,’ to acquaint Ensign

Poole, that his longer continuance in the mess would be unpleasant to all parties.

" I have the honour to be, sir,

" Your most obedient servant,

" R. MACLEOD,

" Dent's Gardens, Feb. 14, 1809.

" Ensign."

" TO THE OFFICER OF THE WEEK OF THE JUNIOR
CLASS OF THE MILITARY INSTITUTION.

" SIR,—I have the honour to transmit to you the copy of a letter I have just received from lieutenant-colonel Munro, quarter-master-general, and I request that you will be pleased to send me a list of the officers composing the junior class of the military institution, at the same time making the distinction therein mentioned.

C. KINSEY,

" Feb. 17th, 1809.

" Assistant Instructor."

" LIEUTENANT KINSEY.

" SIR,—You will be pleased to forward to me, without delay, a list of the names of the officers composing the junior class of the military institution, distinguishing those who subscribed to the sentiments stated in the letter from the officer of the day, which you forwarded to me. You will be pleased to direct the latter officers to hold themselves in readiness to join their corps,

" J. MUNRO,

" Q. Master General's Office,
Fort St. George, Feb. 17th, 1809."

" Quarter Master Gen."

" LIEUTENANT KINSEY.

" SIR,—Agreeable to your request I have the honour to subscribe the names of the officers composing the junior class of the military institution, whose sentiments were expressed in the letter forwarded to you for the information of lieutenant-colonel Munro.

Lieutenant Stopford
Ensigns Marklove
Spicer
Heath
Low

Ensigns Williams
Hodges
W. Taylor
Clarke
Molesley

Ensigns M'Neil
Grant
Budd
Snell

Ensigns Macleod
Christie
J. W. Taylor
Ball

" These are the names of all the officers of the institution, at that time present, with the exception of cornet Raymond Williams.

" R. MACLEOD,
" Ensign and officer of the Week."

" TO LIEUTENANT KINSEY, ASSISTANT
INSTRUCTOR.

" SIR,—I have the honour of expressing the desire of the commander in chief, that the officers attached to the junior class of the military institution, whose names are stated in the accompanying list, may be directed to join their corps forthwith. The places of these officers will be supplied at the institution without delay.

" J, MUNRO,

" Quarter Master General."

" Q. M. General's office, 20th February 1809."

[Here follows a list of the officers mentioned in the preceding letter.]

[I.]

INTENDED MEMORIAL.

" *The respectful Memorial of the Madras Army
humbly sheweth,*

" That your memorialists, deeply impressed with the sense of the duty which they owe to their country, earnestly implore your gracious interference for the purpose of cancelling a system which has occasioned the most serious alarm, lest the rules and ordinances which define their place in the community may be completely subverted.

" Your memorialists are uninfluenced by extravagant notions of freedom, or any idea of independence, inconsistent with the rigid subordination which characterizes the profession, as essential to its existence; they do not expect, nor do they ask, for the relaxation of any tie, or the dissolution of any bond, by which the stupendous fabric of an extensive army is maintained in a state of due subserviency to the supreme power of the

constitution, of which it forms a part, being justly sensible that inconsiderate indulgence of immunity, engender habits of licentiousness, necessarily tend to destroy the principles of discipline, and to make that body, which was formed for the protection of the state, subversive of its tranquility.

"Your memorialists, the free children of that country, which, while the rest of Europe is enslaved, boasts a constitution the basis of which is civil liberty,—your humble memorialists, not the abject slaves of a country enthralled by despotism, respectfully assert a claim to certain rights and privileges, the enjoyment of which may be allowed them without impairing or encroaching upon the dignity of government, or in any way interfering with the other departments of the state.

"Your memorialists have to lament generally, that although their body is now extremely numerous, and the question regarding their claims, their duties, and their privileges are so multifarious as to require the assistance of practical experience in discussing the merits of them, yet they have not a representative in the council of government, where alone the discussion can be agitated; to this cause, probably, may be ascribed the recent measures which have made it necessary for your memorialists to implore your *gracious interposition*, as they are directly subversive of those principles of honour and discipline which harmonize and cement the constitution of a military body, and are, at the same time, grossly insulting to the general character of the military profession.

"A succinct notice of those measures will amply develop the principles by which your memorialists estimate the injuries they have already received; and, by the further abuse of authorities, which they have reason to apprehend, unless the system, so manifestly hostile to the honourable feelings of a military society, be seasonably checked.

"It may be already known to your lordship that lieutenant-colonel Munro, a member of the body to which your memorialists belong, having incurred the suspicion of having acted in a manner that was most generally considered to be criminal, was openly and publicly impeached by a considerable number of respectable officers, who preferred charges against him. This measure was adopted in the hope that a cordial examination before the honourable tribunal of a court-martial might confirm the supposed guilt, and lead to adequate punishment, or, if guilt did not actually exist, that, purified by that ordeal, he might again return to take his place, in a society, in which, as must be well known to your lordships, suspicion is considered as equivalent to infamy.

“ In consequence of those charges, and by virtue of the warrant which gave to the commander in chief, and to him only, the judicature of the Madras army, and vested in him alone the jurisdiction, for the time being, lieutenant-general Macdowall placed lieutenant-colonel Munro under arrest; he has since reluctantly released that officer, in consequence of the interference of the civil government, who have thus disunited the chain, upon the integrity of which the principles of military subordination depend; for, if the source from whence authority and subordination flow to all members of the military body be violated, the subordinate branches, which derive their existence from thence, must lose their virtue.

“ Viewing the interference of the civil government to check the prescribed laws of military dependence, as a dangerous violation and infringement of the solemn laws of the army, your memorialists perceive in it the seeds of unlicensed anarchy and confusion; no desultory exercise of arbitrary power, however severe, can be expected to restrain the passions or feelings of enlightened men, although it may mortify or distress individuals; the doubt regarding the legality and precarious principle by which it must ever be regulated, deprive it of that authority and respect which attaches to an established system of jurisprudence, sanctioned by the legislature, by prescription, by habits, and by the feelings of those educated under its influence.

“ In order to vindicate the character of his profession, and to maintain the integrity of the military authority over those under his command, lieutenant-general Macdowall directed the publication of a general order, conveying a reprimand to lieutenant-colonel Munro, for disrespect to his commander in chief in not abiding by the regular course of enquiry, laid down in similar cases.

“ As the former acts of the government had proclaimed to the army that lieutenant-colonel Munro was not amenable to military law, on this occasion that officer was declared to be superior to the controul of the commander in chief, by the publication of an order, in which general Macdowall is stigmatized with the reproach of having acted in a manner derogatory to the character of government, and subversive of military discipline, and the foundation of public authority, although the order of gen. Macdowall refers purely to the disrespect, the disobedience of orders, and the contempt of military authority, manifested by an officer, who was not only under his general controul, as belonging to the army which he commanded, but who, attached to his immediate staff, owed him particular respect and obedience.

“ Your memorialists, accustomed to judge of the acts of

military men as referable to the standard of right and wrong, which has been established by the legislature for the controul of their body, cannot discover any relation between the orders of government, and the rules of discipline and subordination, equally subversive of the foundation of authority, as that resolution of government, by which the adjutant-general and his deputy are ignominiously suspended from the service, for having obeyed the orders of their commander in chief, which obedience is stated to be a direct violation of the duty of those officers towards the government.

“ It must be painful to your lordship, as it is to your memorialists, to contemplate the possible consequences of a procedure equally unprecedented as it is unaccountable, by any other rules than those of blind prejudice, or deluded infatuation.

“ Your memorialists perceive a commander in chief, who had lived among them, who was personally beloved by many, and who was known by all, to have manifested great forbearance, under circumstances extremely mortifying, from the conduct which government observed towards him, they perceive the character of such a man grossly calumniated, while their regret for his departure was yet fresh ; they perceive two officers of high rank, character, and respectability publicly degraded, deprived of their rank, and suspended from the service, for having obeyed their commander in chief, in signing and publishing an order written by himself, for the purpose of vindicating the dignity of his military authority, which had been flagrantly violated by one of his own staff, who openly defied and disregarded the supreme military commission ; they perceive this officer, who had been publicly impeached, under charges of a serious nature, and who had insulted his commander in chief, sheltered from the natural effect of such misconduct, by the interference of government. Your memorialists cannot avoid declaring, that they see, in this evasion of the fundamental laws of discipline, a most dangerous infringement of the military code ; that bulwark which protects the state from the licentiousness of an armed rabble, a power subject to no controul, except the caprice or prejudice of an individual ; and your memorialists feel a just alarm, lest the repetition of acts, which are not guided by any rule, may tend to wean their affections, and dispose them to consider as enemies those whose situations should make them their friends.

“ Your memorialists have learned, with indignant regret, that their enemies, and the enemies of their country, have represented a public disaffection the discontent produced by local and partial injuries, arising from the present rupture, but they con-

fidently appeal to the zeal and ardour with which a large proportion of them are now discharging the most arduous duties in the service of the state; they appeal to the moderation with which they have stifled their feelings, that the recent conduct of the Madras government was calculated to inspire; and while they declare their inviolable attachment to the state under which they serve, and to their profession, as regulated by its own law, they cannot suppress the expression of their concern, at the manner in which the exclusive rights of the army have recently been violated, and their sanguine hopes and earnest entreaty that the supreme government may, in its wisdom, be induced to appease their just alarms, and to anticipate the extreme crisis of their agitation, by relieving them from the controul of a ruler, whose measures, guided by their enemy, are equally detrimental to the interest of the state, as they are injurious to the feelings of a loyal and patriotic army."

[K.]

" TO MAJOR BOLES.

" SIR,—The officers of the Madras army whose names are hereunto annexed, can no longer abstain from expressing to you their surprize and concern at the severe and unmerited punishment inflicted on you, by an act of the civil government of Fort St. George, for no reason that is stated, but that you obeyed the orders of the commander in chief, in a case purely military.

" Feeling the question to involve circumstances essential to their best interests, and fundamental to the character and respectability of the army, no less than to the principles of martial law, they consider themselves called upon to signify to you their marked approbation of your conduct as an officer on the general staff on that occasion.

" Whilst your brother officers seize this opportunity to express their sense of the propriety of your conduct, they fully appreciate the personal inconvenience to which you are exposed by suspension from office, and the service. With these feelings they request the honour of repairing your injuries, in the mean time, as far as lays within their power, by subscribing and paying to your order, monthly, the full amount of that pay, and staff allowance, of which you have been in this extraordinary manner deprived.

" As your conduct on the occasion alluded to, is exactly conformable to what the undersigned, if placed in your situation,

would have pursued, they cannot avoid making your cause their own, and, under existing circumstances, such mutual support must be expected, and accepted by all who, like yourself, have or may become sufferers, through any such exceptionable measures on the part of the civil government of Fort St. George, as have rendered necessary the painful step we have now taken.

[L.)

“ TO THE OFFICER COMMANDING THE FORCES
SERVING IN TRAVANCORE.

“ SIR,---It having come to my knowledge that papers of a very improper nature are in circulation among the officers of the army, regarding the suspension of major Boles from the situation of deputy-adjutant-general of the army, in consequence of having applied his signature to the general order of the 28th of January last; as this circumstance has not come before me in any public or authenticated form, I am induced to notice it to you in this way, rather than through the channel of a general order.

“ The paper in question, if I am rightly informed, has, for one of its objects, the collection of a subscription for the relief of major Boles, a circumstance which, as commander of the army, I could take no interest in, as officers may apply their money for the benefit of whom they please, did it not, at the same time, if I am rightly informed, intimate an intention of supporting all others who may, in like manner, fall under the displeasure of government, and imply also a justification of the principle upon which major Boles acted.

“ It is impossible for the commander of an English army to take a passive part, whilst such things are transacting among those under his command; as these officers, by placing their principles in direct opposition to that of government, and holding out a security and indemnity, in fact encouraging disobedience and revolt, as far as it is possible for them to do.

“ It were needless for me to explain, to a person of your experience, that an officer, under an English government, can only be justifiable in obeying a legal order, and that the order in question was of a nature calculated to excite sedition in the army, and, as such, unjustifiable and illegal on the face of it, and ought accordingly to have been declined by every well-informed officer. Major Boles must, from his situation, be supposed to have known, that the governor and council of Fort

St. George are not only the civil, but, by the express enactment of the British legislature, the military government also of the country ; the whole of the civil and military government of the presidency of Fort St. George being vested in a governor and three counsellors, by the act of 1793.

“ Although it can never be proper to accustom officers to hesitate as to obeying the usual commands of their superiors, yet this principle, if not limited by law, would, in its operation, tend to the subversion of all government, and put it in the power of any desperate leader, by indemnifying all under him, to issue what orders, and do what act he chose. But, fortunately, the principle is sufficiently understood in an English army, that the military state is subordinate to the civil, and that where there is command, there can be no duty but to obey.

“ As I deprecate the discussion in public orders of odious and delicate questions, and as I am unwilling to publish any general order on a subject so perfectly understood, (and which, but for the prejudice of the moment, could never be mistaken) I choose rather to trust to your discretion, that you will exercise the influence of your situation in explaining to those under your command, the impropriety of their conduct, in thus giving circulation to sentiments of such unfounded and pernicious tendency, as are said to be found in that paper regarding major Boles, and which, I am much afraid, will be attended with very serious consequences to those who have been so ill advised as to fix their signatures to it ; for when a paper of this, or any other factious nature, comes before me, I can have no difficulty in advising government how to dispose of the authors of it.

“ As compassion for major Boles may have drawn in the officers to this measure, I think it proper here to explain, that major Boles has, in my opinion, deprived himself of any particular claim to feelings of that nature. It had never been, I was persuaded, the intention of government to deal severely with that officer, but only to vindicate that respect due to their own authority, which every government must be anxious to maintain. And, accordingly, (but without any instructions to that effect) soon after my succeeding to the command, I took the occasion to signify to major Boles, that if he would express any adequate regret for what he had done, as that when he had offered his signature to the order he was not aware of the consequence, and thought he was acting right, without meaning any offence to government, but was now sorry for what had happened, I would make it my business to get him reinstated in his rank and official situation. But this explanation, so natural to have been expected, and which included in it no personal con-

cession of character, was rejected, (and not without some warmth) by his exclaiming that he was sorry for nothing that had happened, or words to that effect.

" I beg to call your attention to the following extract of a general order, by this government, of the 30th of December, 1799, by which you will perceive the restrictions to which the circulation of addresses to the army has been limited.

" " His lordship in council also prohibits, under the strongest injunctions, the publication in future of any addresses to the army, or to any division of it, by any person or persons whatever, without the previous sanction of his lordship, or of the governor general in council."

" I have to rely on your discretion that you will adopt the means suitable to the occasion for the discouragement and prevention of the address above alluded to, or of any other of a similar description, with the division under your command.

(Signed) " F. GOWDIE,

" Fort St. George, " M. G. commanding,"
Commander in Chief's Office, 10th April, 1809."

[M.]

" G. O. BY THE HONOURABLE THE GOVERNOR IN COUNCIL.

" Fort St. George, May 1, 1809.

" The zeal and discipline, by which the military establishment of Fort St. George had long been distinguished, induced the governor in council to expect that the measures which the violent and intemperate acts of the late commander in chief had imposed on the government, would be received by all the officers of the army with the sentiments of respect and obedience prescribed by the principles of military subordination, and due to the government by which those measures were adopted, as well as to the authorities to which they were ultimately referred. The governor in council has, however, learnt, with a degree of surprise proportionate to the confidence which he reposed in the discipline of the army, that soon after the departure of the late commander in chief, proceedings of the most unjustifiable nature, and correspondent to the example which he had afforded, were pursued by certain officers of the army.

" The most reprehensible of those proceedings consisted in the preparation of a paper, addressed to the right honourable the governor general, purporting to be a remonstrance, in the name

of the army, against the acts of the government under which it serves.

"That paper is not more hostile to the authority of this government than to the first principles of all government. It maintains opinions directly adverse to the constitution of the British service, and is calculated to destroy every foundation of discipline, obedience and fidelity.

"The secrecy observed in preparing this seditious paper, prevented for some time the discovery of the persons engaged in that proceeding. But it has now been ascertained that captain Josiah Marshall, late secretary to the military board, and lieutenant-colonel George Martin, lately permitted to proceed to England, were principally concerned in preparing and circulating the memorial in question, and that lieutenant-colonel, the honourable Arthur Sentleger was active in promoting its circulation, employing the influence which he derived from the important command confided to him by the government, for the purpose of attempting the subversion of its authority, and spreading disaffection among the troops which it had entrusted to his charge.

"It has also been ascertained that major J. De Morgan has been active in the circulation of the memorial.

"The governor in council is also under the necessity of noticing another paper, of a most dangerous tendency, lately in circulation at some of the military stations, purporting to be an address from the officers of the army to major Boles, the late deputy-adjutant-general. In this address a right is assumed to decide on the acts of the government, by condemning in unqualified terms, the sentence of suspension passed on major Boles; and an encouragement is held out to other officers to violate their duty to the government, by affording a pecuniary indemnification, not only to major Boles, but to all such officers as shall suffer by any act of the government which the subscribers to the address may deem exceptionable. This paper, so incompatible with the military character, and so repugnant to the fundamental principles of military discipline and government, was forced on the attention of the governor by captain James Grant, commandant of his body guard, who, while holding that confidential situation, and employed, by order of the governor in council, under the resident at Travancore, transmitted a copy of the paper to be laid before the governor, with an avowal, that he had affixed his signature to it, and a defence of the grounds on which he adopted that proceeding.

"It has also been ascertained that a paper of a similar tendency has been circulated among the officers of the corps of

artillery at the Mount, and that its circulation has been promoted by lieutenant-colonel Robert Bell, the officer commanding that corps.

"The governor in council regrets that he is obliged to notice also the conduct of lieutenant-colonel Chalmers (commanding in Travancore,) and lieutenant-colonel Cuppage (lately commanding in Malabar, and employed with the troops under his orders at Travancore) who appear to have taken no steps whatever either to repress or report to the government the improper proceedings pursued by part of the troops under their orders. It is not sufficient for officers holding commands to avoid a participation in such proceedings; it is their positive and indispensable duty to adopt the most decided measures for their suppression, and to report them to their superior authorities.

"It has further been ascertained that captain J. M. Coombs, assistant-quarter-master-general in Mysore, has been concerned in these reprehensible proceedings.

"It becomes the painful duty of the governor in council to mark with the displeasure of the government the conduct of the abovementioned officers, who have been engaged in a course of measures equally dangerous to the existence of discipline, to the foundations of legal government, and to the interests of their country.

"The undermentioned officers are accordingly declared to be suspended from the service of the honourable company, until the pleasure of the honourable the Court of Directors shall be known.

"Lieutenant-colonel the hon. Arthur Sentleger.

Major John de Morgan,

Captain Josiah Marshal

Captain James Grant.

"Lieutenant-colonel commandant Robert Bell, is removed from all military charge and command, until the pleasure of the honourable the Court of Directors shall be known, but he is permitted to draw his regimental pay and allowances.

"Lieutenant-colonel commandant J. M. Chalmers is removed from the command of the subsidiary force in Travancore.

"The under mentioned officers are removed from their staff appointments, and ordered to join the corps to which they stand attached.

"Lieutenant-colonel John Cuppage.

Captain J. M. Coombs.

"The governor in council considers it to be proper to avail himself of this occasion to correct a misapprehension, highly dangerous in its tendency, which has arisen in the minds of

some of the officers of the army, with regard to the nature of the authority of the governor in council. This misapprehension appears to have originated in the general order, published by the late commander in chief on the 28th of January last, from which it might be inferred that the authority of the governor in council is only of a civil nature, whereas, by the express enactment of the legislature, the entire civil and military government of the Presidency of Fort St. George and its dependencies is vested in the governor in council. It is therefore to be distinctly understood that no officer, of whatever rank, while serving under the presidency of Fort St. George, can without incurring the penalties of disobedience to the legislature of his country, issue any order in violation, or to the derogation, of the authority of the government; and that every officer complying with an order of that description under any pretext whatever, renders himself liable to the forfeiture of the service, and to such legal penalties as the nature of the case may demand.

“While the governor in council deems it to be proper to afford the foregoing explanation, he feels himself at the same time bound to acknowledge that the principles to which he has adverted, have never been called in question, until the publication of the above-mentioned order of the late commander in chief. On the contrary, these principles had been invariably acted upon by the government and by the officers of the army of this presidency, who have been no less distinguished for their obedience and discipline, than for their achievements in the field. The governor in council also experiences the most sincere satisfaction, in publishing his conviction that the majority of the army have resisted all participation in the improper and dangerous proceedings described in this order; and it is an act of justice to the troops of his Majesty's service to declare his entire approbation of the order, discipline, and steady adherence to duty, which they have invariably manifested. The information before the government does not enable the governor in council to distinguish, by the expression of his approbation, all the troops of the company's service that have manifested the same dispositions; but he deems it to be proper to notice, on this occasion, the satisfactory and exemplary conduct of the part of the army composing the Hyderabad subsidiary force. The honourable the governor in council is also confident that such officers as have inadvertently yielded to the misrepresentations of individuals, who have been engaged in the prosecution of designs equally fatal to the honor and to the interests of the army, will in future manifest, in the service of the government, the

obedience, fidelity and zeal which constitute the first principles of their profession, which have hitherto distinguished the army, and which are indispensable to the prosperity of the British empire in India.

By order of the honourable the governor in council.

(Signed) "A. FALCONAR,
" Chief Sec. to Govt."

GENERAL ORDER BY GOVERNMENT.

" May 1, 1809.

" The honourable the governor in council has been pleased to make the following appointments :

" Major T. H. S. Conway to be adjutant-general of the army, with the official rank of lieutenant-colonel, vice Cuppage.

" Captain P. V. Agnew to be deputy-adjutant-general of the army, with the official rank of major, vice Conway.

" Lieutenant-colonel T. Clarke to be commandant of artillery, with the staff allowance annexed to that station, and a seat at the military board, vice Bell.

" Major Sir John Sinclair, Baronet, to be commissary of stores in charge of the arsenal of Fort St. George, vice Clarke.

" Lieutenant A. E. Patullo, to command the honourable the governor's body guard, vice Grant.

" Captain J. Doveton, of the 7th regiment native cavalry, to be paymaster at Vizagapatam, vice Marshall.

" The following officers, who have been suspended from the service of the honourable company, until the pleasure of the Court of Directors shall be known, are directed to hold themselves in readiness to proceed to England, by such opportunities as the honourable the governor in council may think proper to point out, viz.

" Lieutenant-colonel the honourable Arthur Sentleger,

Major Thomas Boles,

Major John De Morgan,

Captain Josiah Marshall,

Captain James Grant.

" Lieutenant-colonel Sentleger is further directed to repair to the presidency without delay.

" The honourable the governor having been pleased to appoint Lieutenant-colonel Henry Conran, of his Majesty's royal regiment, to command the whole of the troops composing the

garrison of Fort St. George, the governor in council directs that col. Conran shall be considered to be entitled to the same allowances as other officers holding commands under the appointment of the governor in council.

“ By order of the honourable the governor in council.

(Signed) “ A. FALCONAR,
“ Chief Secretary to Government.”

“ By order of major-general Gowdie, commanding the army.”

[N.]

“ GENERAL ORDERS BY THE RIGHT HONOURABLE THE GOVERNOR GENERAL IN COUNCIL.

“ Fort William, July 20, 1809.

“ The right honourable the governor-general in council has received private but authentic advices, that orders having been issued by major-general Gowdie, the officer commanding in chief on the coast, to lieutenant-colonel Innes, commanding at Masulipatam, directing the embarkation of one or more detachments of the Madras European regiments on board his majesty's ships, for the purpose of serving as marines; the officers of the station were induced to entertain the erroneous supposition, that the object of those orders was to separate, and finally to disperse that regiment, (a design which the government of Fort St. George has formally disavowed) and, under the influence of this misapprehension, declared their resolution to resist the execution of them; that lieutenant-colonel Innes, having manifested a determination to enforce them, the officers of the garrison proceeded to the barracks, and by personal representation succeeded in seducing the troops from their duty, and in obtaining from them a promise of support; that major Storey, the next in command, who was then in the cantonments, proceeded to the garrison, and having endeavoured, without success, to induce lieutenant-colonel Innes to depart from the obligation of his public duty, by abandoning his resolution to carry into effect the orders which he had received, adopted the extreme measure of placing that officer in arrest, under the charge of European centries.

“ The governor-general in council has deemed it necessary to apprise the army of Bengal of an event so deeply interesting to the feelings of every loyal subject, and especially of those who have the honour to bear a military commission. The governor-general in council has received, with sentiments of the deepest affliction, the intelligence of the excesses into which

the officers of the station of Masulipatam have thus been gradually led by the effects of the late prevailing agitation in the army of the Coast. He trusts, however, that this unhappy event will afford a salutary warning of the danger to which the combined interest of the public and the army must be ever exposed by the first and slightest departure from the established principles of military discipline, on the one hand; and, on the other, of a just subordination to the laws of their country and to the legitimate authority of the state.

The occurrence of this afflicting event, combined with the agitation which unhappily prevails among the officers of the army of Fort St. George, renders it the duty of the governor-general to proceed, without delay, to that presidency, in the hope of being enabled successfully to appeal to those sentiments of loyalty and attachment to their King and their country, which his lordship in council yet confidently ascribes to the general body of the officers of the coast army; whose zeal, fidelity, and professional achievements have hitherto been the theme of just and unqualified applause: and, by an accurate knowledge of all the circumstances which have attended the late agitation, to devise such means as may best tend to avert the impending dangers of anarchy and insubordination, and re-establish the foundations of public security and national prosperity in this important branch of the British empire.

“ N. B. EDMONSTONE,
“ Chief Secretary to Government.”

[O.]

“ GENERAL ORDERS BY THE HON. THE GOVERNOR IN COUNCIL.

“ August 3rd.

“ Para. 1. The honourable the governor in council judges it proper to announce to the native troops, that the very improper conduct of some of the European officers of the company's service, and the refusal of others to acknowledge their allegiance to the government, have rendered it indispensably necessary to remove for a time a considerable number of European officers from the exercise of authority.

“ 2. This measure will not, however, affect, in any respect, the situation of the native troops, who must know, that their first duty is to the government which they serve, and from which all authority is derived.

“ 3. The governor in council entertains the same solicitude

for the welfare and comforts of the native troops that has invariably been manifested by the British government.

" 4. He has no intention whatever of making any changes in their situation ; and he expects that the native troops will display on every emergency the unshaken fidelity to government which constitutes the first duty of a soldier ; that they will obey with zeal the orders of the officers whom the government shall place in authority over them ; that they will refuse a belief to all reports calculated to agitate their minds and diminish their confidence in the government ; and that they will not allow themselves to be involved in measures in any respect adverse to their duty and allegiance.

" 5. The governor in council is pleased to express his approbation of the good conduct which has been recently manifested by the native troops at the presidency in the camp at the Mount, at Trichinopoly, and at Vellore, and he is confident that their behaviour will be equally correct and loyal at all other stations of the army.

" By order of the honourable the governor in council.

(Signed)

" A. FALCONAR,

" Chief Sec. to Govt."

" August 5th.

" The hon. the governor in council has been pleased to resolve, that all the European officers of the company's service, who may be removed from the exercise of their military functions, in consequence of their refusing or omitting to sign the declaration, required in the orders of the 26th of July last, shall be permitted to choose a place for their residence until further orders, between Sadras and Negapatam, both places included, from which they are not afterwards to proceed beyond the distance of five miles, without the permission of the governor in council.

" The governor in council is further pleased to direct, that the commanding officers of divisions, stations, or corps, shall take the most effectual measures for obliging the officers who may be suspended from the exercise of their military functions, for the reasons above stated, to quit the stations of their corps without any delay whatever, and to proceed, with all practicable dispatch, to the places which they may choose for their residence.

" Commanding officers of divisions, &c. are directed to report to the office of the adjutant-general of the army, the names of

the places which may be selected by the officers for their residence under this order.

“ By order of the honourable the governor in council.
(Signed) A. FALCONAR,
“ Chief Sec. to Gov.”

[P.]

“ LIEUTENANT COLONEL DAVIS, COMMANDING
IN MYSORE.

“ SIR,—I have this morning received your official letter, giving cover to a copy of a letter from government, under date 26th ult. and have, in reply, to state, that I tendered the paper, in due form, to all the officers present here, who (unanimously) refused to sign it. I have delivered over the command to Subidar Bohoodling, a most respectable and good soldier, whom I had some trouble to persuade to supersede his European officers in the command of the corps and stations. The enclosures will fully explain every thing further.

“ I have the honour to be, Sir,
“ Your most obedient servant,
(Signed) “ JAMES WELSH,
“ Late major, &c.”

“ August 6th, 1809.”

“ LIEUTENANT COLONEL GIBBS, COMMANDING
IN BANGALORE.

“ SIR,—I have the honour to forward a paper, which I have to request you will forward to Madras, without delay; I beg leave, at the same time, to offer apologies for making you the channel of such communication, which proceeds from the absence of colonel Davis, and an anxiety to anticipate the orders of government, that we may share, in common with our brother officers at Bangalore, that temporary disgrace which Sir George Barlow has determined to inflict on them.

“ I have the honour to be, Sir,
“ Your most obedient servant,
“ JAMES WELSH.”

“ We, the undersigned officers of the garrison of Nundydroog, understanding that our brother officers at Bangalore have been called upon to sign a paper, promising implicit obedience to the orders of the honourable Sir George Barlow,

governor of Fort St. George, and threatened with suspension in case of refusal, conceive it our duty, unasked, to step forward and declare, that, under existing circumstances, we shall decline signing any such paper, if tendered to us ; at the same time, we think it incumbent on us to assign our reasons for this act of disobedience to the mandate of our immediate superiors.

" It is not, at this late period, necessary to state all those grievances under which the company's officers alone labour, (for the officers of his Majesty's service have been entirely exempted from a participation of them) it is sufficient for us to declare, that we are, from principles, embarked in one common cause, and that we have voluntarily pledged ourselves to co-operate with our brother officers, in all legal means to obtain redress. It will, therefore, clearly appear that signing such papers as the one in circulation, would be an abandonment of those sacred principles of honour by which we are actuated, and a breach of faith towards our suffering brother officers, and a tacit acquiescence in those measures which we conceive to be of the most pernicious nature to the interests of the honourable company, (our masters) and of the most degrading tendency to our whole body, and the service in general. We further have reason to suspect, that were we base enough to sign such a promise, though through fear of losing our commissions, (now no longer valuable) if we cannot hold them with honour, that our swords, hitherto only used against the enemies of our country, would be directed against the bosoms of our brother officers, and our energies employed in overturning that empire which our honourable masters have acquired by our unremitting exertions, and purchased at the expense of our blood. The right honourable Lord Minto has admitted the right of soldiers, on some occasions, to consider the nature and tendency of orders ; under this sanction, we solemnly protest against measures which, if persisted in, cannot fail to ruin our honourable masters. We see the evil far advanced ; we behold the probable consequences of the present system ; and we shudder for the fall of British India. We declare ourselves true to the service of our honourable masters, and ready to expose our lives in defence of their rights and territories, but, at the same time, resolved never to compromise our own honour.

(Signed)

" J. WELSH,
P. STEVENSON,
J. WALKER,
J. TEGG,
J. M. WATSON.

[Q.]

" TO THE RIGHT HONOURABLE LORD MINTO,
GOVERNOR GENERAL OF INDIA.

" MY LORD,—We, the undersigned officers of the Madras establishment, congratulate ourselves and our brother officers, on your Lordship's arrival at this Presidency, and, impressed with sentiments of high respect for your lordship's character and station, as well as urged by every motive of ardent loyalty and allegiance to our king, undiminished attachment to our country, and unshaken fidelity to our employers, hasten to address your lordship. We do, therefore, most respectfully, but most earnestly, implore your lordship, to grant a patient and indulgent consideration to the circumstances we have to submit. We entreat you to suspend your judgment, to banish from your mind any unfavourable impressions you may have received of our national attachment, or obedience and respect for the local administration of India; and not to admit those suggestions, which would impute to the officers of the Madras army any thing like disaffection to the state, or any premeditated disposition to insult the authority, or injure the interests of the British government in India; for we do most solemnly and explicitly disavow any such sentiments or intentions.

" 2. Your lordship is too well aware of the unhappy and general agitation prevailing throughout the army of this presidency. We, my lord, most sincerely deplore its existence, and lament, with unfeigned regret, the extremes to which it has led, and the awful crisis it has produced; we, therefore, hail your lordship's arrival as an auspicious event, which will dispel the impending gloom, avert the threatened calamities, restore to the army of this presidency its former happiness and tranquillity; we repose unbounded confidence in your lordship's wisdom, justice, and liberality, and cherish a sanguine hope, that you will not deem it unworthy of your high station to investigate those causes, that have combined to place a large portion of the company's officers in the painful and distressing situation in which we now stand. May we not further hope, that your lordship's magnanimity will extend to shew some attention to the feelings of a large respectable body of officers, whose minds have been agitated beyond the power of our nature to controul.

" 3. It would be unbecoming in us, at this moment, and inconsistent with the high respect we feel for your lordship, to obtrude a statement of those particular grievances, which the coast army so keenly feel, and so bitterly complain of; it is for us to represent the recent measures which has placed us, and a large body of our brother officers, in our present unexampled

situation, and to solicit your attention to the detail of the circumstances attending it.

" 4. On the 26th of July, we, the officers serving with the troops in camp, and at St. Thomas's Mount, suddenly received orders to repair to lieutenant-colonel Hare's house, (at some distance from our camp) which we immediately obeyed; the piquet, which we had necessarily to pass, being drawn out to preclude our return to our camp. On being assembled, lieutenant-colonel Hare read to us certain parts of a dispatch, addressed to him by government, in which a large portion of the company's officers were represented to be in a seditious, rebellious state, prosecuting measures of hostility against the government, which rendered it necessary to separate the faithful from the seditious; to make which discrimination, the government required, that the officers of the army should sign a pledge, solemnly binding themselves to act up to the tenor of their commissions; and it was directed, that those who might decline to subscribe that test, should be removed from their corps, and suspended from all military employments, till the temper of their minds should allow of their being employed in the service of the state. It was further directed, that they should be detained till their tents could be struck, and they were then to be removed to a sufficient distance to prevent their return to, or communication with, their corps. Your lordship may form some idea of our situation, but it is far beyond the powers of language to convey to your lordship a just or adequate impression of our feelings, on this extraordinary occasion. Amongst us, my lord, were some who have served the honourable company with zeal, and unquestioned fidelity, for nearly thirty years; others for shorter periods, but all with equal ardor and attachment; yet we found ourselves placed in the humiliating situation we have described, betrayed, (if we may use the term) into a snare, surrounded by troops, and called upon to subscribe to a test, which in itself, implied more than a suspicion of our fidelity, and, combined with the circumstances under which it was offered, was deeply injurious to our sensibility, our pride, and our honour.

" We could not accept it; but, mortified as we were, we left nothing ambiguous, having distinctly explained to lieutenant-colonel Hare our principles and sentiments, by stating to him, that the commissions we held contained every obligation specified in the proposed pledge; that we had never departed from those obligations, or disobeyed any orders of the government; that so long as we retained them, we should fulfil their obligations, and obey the lawful orders of our superiors; and that

‘ for any disobedience thereto, we knew we were amenable
‘ to military law and liable to the penalties of the articles of
‘ war,—and we could not consent to subscribe a pledge, the
‘ object of which might be to oppose us to our brother officers,
‘ and the interests of our service.’

“ 5. Such a test, and tendered to us under such circumstances, could not but degrade us in the estimation of our brother officers of his Majesty’s army, to whom no similar proposal was made; whose conduct was described in terms of warm and unqualified approbation, while the company’s officers were stigmatized by epithets of reproach, censure, and disgrace; yet, my lord, we may appeal to our conduct, on all occasions, for the proofs that we have never been inferior either in loyalty, fidelity, or professional zeal.

“ 6. These are the circumstances under which we have been removed from our employments, and from those troops we have so long commanded, whose discipline we established, whose confidence and attachment we have acquired, whose zeal we have animated, and whose exertions we have directed, in the service of the East India Company.

“ 7. Though we will not presume to suggest the consequences likely to result from this separation of the officers from their men, it is a justice due to ourselves, to declare most solemnly to your lordship, that, however agitated our feelings have been, we have most studiously concealed from the troops, under our orders, any knowledge or communication whatever, of any disagreement between the government and the army. Your lordship’s justice will, we trust, therefore, absolve us from any reproach for any evils that may arise; and here, my lord, it is not without the greatest pain that we are compelled to remark, that, before our removal from our corps, we had detected emissaries among our men, endeavouring to seduce them from their obedience to their officers, to weaken their attachment, to infuse suspicion into their minds, and to prejudice them against us while we were in the actual exercise of command.

“ 8. We will no longer trespass on your lordship’s time, but we cannot conclude without repeating our earnest and impressive appeal to your lordship, and adjuring you, by your regard for the prosperity of this great empire, committed to your charge, and by the most sacred of all obligations, your love for our parent country, that you will condescend to hear the complaints of a respectable body of British subjects. Do not, my

lord, reject our petition, nor condemn us upon the representations of those, who have already, we fear, endeavoured to impress on your lordship's mind an unfavourable opinion of our principles. Let the claims the company's officers have established on their country, be alone present to your lordship's mind, and let us owe to your lordship's justice the relief we implore; this will secure to your lordship our lasting gratitude and affection, and inspire sentiments which no time will erase.

" We venture to assure your lordship, that no obstacles will oppose your endeavours to restore tranquillity, and that your lordship may confide in the honour and patriotism of the officers of this army. We come not to you a clamorous multitude, nor are we a licentious body, impatient of controul, and spurning at the restraints of authority; we are not actuated by any false notions of liberty; we do not seek, or desire, any emancipation from the rigid, but just, rules of our order; we are not prosecuting views of professional aggrandizement, and far less any measure of hostility against the government under which we serve; we explicitly disclaim every such idea, and any wish, incompatible with the strictest subordination to legitimate authority, and to the laws of our country. Our respect for the authority of government, as by law established, continues undiminished, and, under that authority, as heretofore administered, we have lived happily, and performed our duty cheerfully; we feel bound to convey to your lordship this explicit and solemn assurance, that our loyalty and allegiance to our King is unimpaired, our zeal and fidelity for our employers undiminished, and that our attachment to our country is unabated, and we are ready to shed the last drop of our blood in defence of the British power in India.

" We have the honour to be, my lord,

" Your lordship's most faithful, devoted servants,

[Signed by the officers of all the corps.]

" Pondicherry, 8th August, 1809."

[R.]

" BY GOVERNMENT.

" Fort St. George, August 9, 1809."

" The governor in council having taken into consideration the whole of the transactions that have occurred to the garrison of Masulipatam, and being satisfied that the part borne by the men in those transactions is to be entirely imputed to the misrepresentations and seduction of their European officers, is

pleased to proclaim a full pardon to the European non-commissioned officers and privates, and to the Native commissioned officers and non-commissioned officers of the garrison of Masulipatam, who were concerned in these improper proceedings. The governor in council entertains a confident persuasion, that this act of lenity will produce a proper effect in the minds of these men, and induce them to manifest in future that fidelity to the government, which constitutes the first duty and highest praise of every soldier.

" The governor in council prohibits the march of any body of troops from the garrison of Masulipatam, without the orders of Major General Pater, commanding the northern division ; and directs, that any troops who may have marched from Masulipatam without due authority, shall return forthwith to that station, on pain of being considered to be in a state of rebellion to the government.

" A. FALCONAR,

" Chief Secretary."

" GENERAL ORDERS BY THE HONOURABLE THE GOVERNOR IN COUNCIL.

" Fort St. George, Aug. 12, 1809.

" The course of proceeding followed for some time past by the officers of the honourable company's army at this presidency, has obliged the government to adopt the most decided measures for the preservation of the important interests committed to its charge. These proceedings may be stated to have commenced with the transmission to the government by the late commander in chief of a memorial addressed to the honourable the court of directors, dated January, 1809, and signed by a large proportion of the company's officers. Although that paper exhibits claims of an ungrounded nature, and contains observations equally improper and unjust on the orders of the honourable the court of directors and the government, the governor in council was induced to permit it to pass without the serious notice which it appeared to demand, by a confidence in the discipline of the army, and a persuasion that the objectionable passages in the memorial were inadvertently and unintentionally introduced.

" The subsequent conduct of the commander in chief forced the government to vindicate its authority, by a signal example of punishment. It was well known to the company's officers, that the whole of this proceeding was referred to the supreme government, and the authorities in Europe ; that it would receive

from their wisdom a decision conformable to the soundest principles of reason and justice ; and that its discussion could not belong to the cognizance of the army, who are precluded from becoming a deliberative body. Notwithstanding these considerations, the governor in council, anxious to remove every cause of misunderstanding relative to a measure of so important a nature, published an order, dated the 31st January, explaining to the army the grounds on which it was adopted. The governor in council had a right to expect, on the most obvious grounds of discipline and respect for the laws, that the question would have been permitted to rest here, and receive its final reward from the only powers competent to decide on it ; and it was with feelings of equal surprize and concern he learned, that a memorial to the supreme government, of the most intemperate description, was circulated in the company's army.

“ The governor in council, desirous to avoid a recurrence to measures of severity, and persuaded that it was sufficient to apprise the company's officers of the improper nature of the proceedings, to induce them to desist from their prosecution, authorized the commander in chief to issue a circular letter, dated the 5th March, 1809, explaining to those officers the impropriety of their conduct, and calling upon them, by the most powerful motives of duty, allegiance, and honour, to abstain from such unjustifiable measures. A letter from the right honourable the governor in council, dated the 20th Feb. 1809, approving of the steps adopted by the governor of Fort St. George, with respect to the late commander in chief, was also circulated to the army, in the expectation that the sentiments of the supreme government would have suppressed the spirit of faction and insubordination which prevailed. These letters appear to have produced no effect ; the memorial to the supreme government made further progress ; and an address to Major Boles, an officer under sentence of suspension, written in language of determined sedition, was circulated in the army, and forced upon the notice of the governor in council, by a company's officer, holding a confidential situation on his staff—the governor in council was still induced to pursue a system of forbearance, by the sentiments of affection and respect which he was disposed to entertain towards the company's officers ; and by a conviction that the principles of zeal, discipline, and national attachment, by which he supposed they were actuated, would lead them to relinquish the reprehensible measures in which they were engaged, on being made fully acquainted with their impropriety and danger. The commander in chief, accordingly, under the sanction of the government, issued a

second circular letter, dated 10th April, 1809, again calling upon the officers of the company's army to adhere to their duty, correcting the erroneous opinions which they had received, regarding the powers of government, and describing the unjustifiable nature and dangerous consequences of their proceedings. The governor in council learned, with deep regret, that these measures of moderation, these repeated and urgent appeals to the discipline, duty, national attachment, and professional honour of the company's officers were entirely nugatory; that the memorials continued to be circulated, and that sentiments of sedition were openly declared in many parts of the army; the further forbearance of the government would have encouraged the progress of those evils; a course of explanation and exhortation had been pursued in vain, and it became imperiously necessary to check, by a salutary example of punishment, a spirit of insubordination that threatened the most dangerous consequences to the prosperity of the empire. The general orders of the 1st of May last were accordingly passed. The governor in council is concerned to state, that this example, which was confined to the persons who were principally instrumental in promoting sedition, and of whose delinquency the most ample proofs existed, and which was intended to obviate the necessity of more extensive punishments, failed to produce the beneficial effects anticipated from its adoption, and that principles of insubordination and sedition continued to prevail among the company's officers, if possible with aggravated violence; the company's officers of the Hyderabad subsidiary force, whose good conduct in refusing to affix their signatures to the seditious addresses, had received the approbation of the government, intimated to the rest of the army, in an address dated in May last, scarcely less reprehensible than the papers that had incurred the animadversion of the government, their participation in the disaffection which prevailed so extensively in the company's army.

"The officers at Hyderabad followed up this act, by threatening, in an address, dated 15th June, transmitted direct to the governor in council, to separate themselves from the authority of the government, established over them by their country, unless a submission should be yielded to their menaces, by abrogating the general orders of the 1st of May, and the company's officers at Masulipatam imprisoned their commanding officer, and made preparations to desert the post entrusted to their charge, and to join the Hyderabad subsidiary force, thereby involving, on account of views personal to themselves, the men under their command in the guilt of rebellion, and furnishing to the Native troops a dangerous example of resistance to authority. The governor in council, still anxious to impress on the

minds of the company's officers a sense of the impropriety of their conduct, published to the army the dispatch from the supreme government, dated the 21st of May last, which contained an entire approval of the measures of the government of Fort St. George, and stated the most forcible and conclusive arguments against the system of faction and illegal combination which had been introduced into the coast army. This solemn decision of the supreme authority in India, has also proved to be ineffectual ; the officers at Hyderabad, although they knew the sentiments of the supreme government, refused, in a body, in a letter to their commanding officer, dated the 8th of July, obedience to the orders of government, for the march of a battalion from Hyderabad, adding, as a threat, that its services might soon be useful to their cause ; and have since forwarded to the government, in a paper, dated the 21st of July, the conditions on which they are willing to return to their duty, and which they require the government to accept, in order to avert the impending awful evils ; evils that can result only from their own criminal determination to place themselves in the situation of enemies to their country. The conditions on which those officers presume to state that they will yield obedience to the national authorities, afford further proofs of the nature of their designs, for they demand the public revocation of the general orders of the 1st May ; the restoration to their rank and appointments of all officers removed by this government, however obnoxious and criminal the conduct of those officers may have been ; the dismissal from office of the officers of the general staff, who may be supposed to have advised the government to the trial by a general court martial of the officer commanding Masulipatam, who was arrested by his own disobedient officers ; and, finally, an amnesty for the conduct of the company's army. The garrison of Masulipatam have placed themselves in a state of rebellion, the troops of Seringapatam and Hyderabad, have followed their example, and it has been ascertained that the military authority entrusted to commanding officers has been usurped by self-constituted committees ; and that an organized system of combination, for the purpose of subverting the authority of the government, has been established throughout the greatest part of the army of this establishment.

“The governor in council perceives, in the foregoing course of proceedings on the part of European officers of the company's army, which has equally resisted measures of forbearance and punishment, a determined spirit of revolt that must, unless speedily repressed, produce the most fatal consequences to the constitution and authority of the government and the interests of the nation. No means compatible with the honour and

authority of the government have been omitted to recal the company's officers to a sense of their duty as soldiers, and of their allegiance as British subjects. The forbearance displayed by the government, under circumstances of aggravated indignity, demonstrate the satisfaction with which it would have regarded any disposition on the part of the company's officers to manifest the usual obedience required from all soldiers. No disposition, however, of that nature has appeared ; on the contrary, those officers, by a systematic course of aggression and insubordination, have forced the government to adopt measures of the most decided nature for the support of its authority.

" The governor in council would be guilty of a most criminal desertion of his duty and the cause of his country, if he were capable of compromising the evils of sedition and mutiny by a submission to the menaces of a body of men, placed by the law under his government. Such a course of proceeding would prostrate the authority of the state before a disaffected and seditious faction ; it would effectually incapacitate this and every succeeding government from executing the functions of administration, and would be fatal to the prosperity of the empire in India, by affording an example of successful opposition to authority, and by weakening the power and dignity of the government, which, in this country, are peculiarly essential to its existence. Influenced by these considerations, the governor in council has considered it to be his sacred duty to resist every appearance of concession to the threats of insubordination and faction, and to employ the power and means at the disposal of the government for the restoration of its discipline and the maintenance of its honour and authority.

" In this state of affairs, it is a source of the most gratifying reflection, that zeal, loyalty, and discipline of his Majesty's troops, and of many of the most respectable officers of the company's army, combined with the fidelity generally manifested by the native troops, will enable the government to accomplish the important object of re-establishing public order. The good conduct of his Majesty's troops during the dissensions that have occurred, their zealous adherence to duty, the preference which they have manifested to the principles of honour, virtue, and patriotism, over the personal views and disorderly passions which prevailed around them, reflect the greatest credit on their character, and demonstrate that they are animated by the same ardent love of their country, which has distinguished their brother soldiers in Europe. His Majesty's troops under this government will possess the gratifying reflection of having deserved the approbation and gratitude of their country, and of having eminently contributed to the preservation of an important branch of the empire.

" The governor in council entertains a hope that the company's officers, who have threatened the government of their country with the most serious evils, who have demanded, as the condition of being faithful to their duty, the execution of measures degrading to the character, and fatal to the interests of the State, will pause before they attempt to proceed further in the course of sedition and guilt which they have pursued. It has been the earnest wish and anxious desire of the governor in council to avoid measures of extremity, to re-establish order by the course of the law, and to give up to military trial the authors of the present seditious proceedings. In prosecution of measures so consonant to justice, so necessary for restoration of discipline, and so conformable to the ordinary course of military government, the governor in council is persuaded that he shall have the concurrence of all persons in the civil and military services, who have not banished from their minds every sentiment of national feeling; and he exhorts the officers of the company's service, by submitting to that course of measures, to avert the evils which they are precipitating upon themselves. Such a result, gratifying at any period, would, at the present moment of national difficulty, be peculiarly acceptable to the view and feelings of the governor in council; and, adverting to the zeal and patriotism by which the officers of the company's army have been distinguished, he still encourages a hope, that by manifesting obedience to the government, they will obviate the adoption of measures of extremity, arrest the certain consequences of their past conduct, and promote the restoration of general confidence, order, and discipline.

" By order of the honorable the governor in council,

(Signed) " A. FALCONAR."

" BY GOVERNMENT.—GENERAL ORDERS.

" Fort St. George, August 18.

" The governor in council has received intelligence that the troops at Chittledroog, consisting of the first battalion of the 6th and 5th regiments of Native infantry, seized, in the latter end of July, the public treasure at that station, deserted the post entrusted to their care, and, in obedience to orders which they received from a committee who have usurped the public authority at Seringapatam, marched on the 6th instant to join the disaffected troops in that garrison, plundering the villages on their route.

" The British resident, and the officer commanding in Mysore, prohibited, in the most positive terms, the advance of

the troops from Chittledroog, and demanded from their European officers a compliance with the resolution of the governor in council of the 26th ult. by either declaring that they would obey the orders of government according to the tenor of their commissions, or withdrawing, for the present, from the exercise of authority.

" The officers having refused to comply with his requisition, and having persisted in advancing towards Seringapatam, it became unavoidably necessary to prevent by force their entrance into that garrison.

" In the contest which ensued, a detachment from the British force, under the command of lieutenant-col. Gibbs, aided by a body of Mysore horse, and one battalion of the 3rd regiment of Native infantry, entirely defeated and dispersed the corps from Chittledroog.

" During this affair a sally was made by the garrison of Seringapatam on lieutenant-col. Gibbs's camp, but was instantly driven back by the piquet and the 5th regiment of cavalry, under the command of Capt. Bean, of his Majesty's 25th dragoons, in charge of that regiment.

" Nearly the whole of the rebel force was destroyed, while one casualty alone was sustained by the British troops, lieutenant Jefferies, of his Majesty's 25th regiment of light dragoons, having zealously offered his services to carry a flag of truce, which lieutenant-col. Gibbs, anxious to prevent the effusion of blood, was desirous of dispatching to the rebel troops, was slightly wounded in the execution of that duty by a volley fired under the express command of an European officer.

" While the governor in council participates in the feelings of sorrow that must have been experienced by the British forces, in acting against the rebel troops, and deeply laments the unfortunate but imperious necessity which existed for that proceeding, he considers it to be due to the conduct of the British forces to express his high admiration and applause of the zeal, firmness, and patriotism which they displayed on that most interesting occasion.

" Their conduct affords a further proof of the superior influence in their minds of the principles of virtue, honour, and loyalty, over every other consideration, and eminently entitles them to public approbation. Lieut.-col. Gibbs, lieutenant-colonel Adam, major Carden, capt. Bean, and lieutenant Jefferies, availed themselves of the opportunities offered to them, on this occasion, of serving their country.

" The governor in council is also happy to distinguish the zeal and loyalty displayed by the 5th regiment of Native cavalry,

the 1st battalion of the 3rd regiment of Native infantry, and the Mysore troops, who all manifested an eager desire to perform their duty. The Mysore horse, on one occasion, put the column of the Chittledroog troops to flight, and took two guns and both the colours from one of the battalions; a memorable proof of the weakness of men acting in the worst of causes.

“ That a body of British officers should deliberately disobey the orders of their government—seize the public treasure under their protection—abandon the post entrusted to their charge—march to join a party of men in open opposition to authority—plunder the dominions of a British ally, and finally bear arms against their country, must excite grief and astonishment; but the conduct of these officers in urging the innocent men under their command, who had the most powerful claims on their humanity and care, into the guilt and danger of rebellion, constitutes an aggravation of their offence that cannot be contemplated without feelings of the deepest indignation and sorrow.

“ The governor in council is very far from wishing to aggravate the misconduct of these deluded and unhappy men; but he earnestly hopes, that the example of their crimes and their fate will still impress on the minds of the officers who have joined in their plans a sense of the danger of their situation, and the propriety of endeavouring, by their early obedience and future zeal, to efface the deep stain which has been cast on the honour of the Madras army.

“ In announcing to the native troops the distressing event, described in this order, the governor in council must express his concern, that any part of the native army should be so far deluded by misrepresentation, and so lost to a sense of the obligation of fidelity, honour, and religion, as to act against the government which has so long supported them.

“ The general order of the 3rd instant, and the conduct that has been observed towards the native troops at the Presidency, the Mount, Vellore, Trichinopoly, Bellary, Gooty, and Bangalore, must convince the whole Native army of the anxiety of government to promote their welfare, and save them from the dangers into which they were likely to be plunged. The governor in council still places the greatest confidence in the fidelity and zeal of the Native troops, and is convinced that they will not willingly sully the high reputation which they have so long enjoyed, by joining in the execution of plans that must end in their disgrace and ruin.

“ The governor in council trusts the unhappy fate of the Chittledroog battalions, who allowed themselves to be engaged

in opposition to their government, will have the effect of prevailing on any other part of the Native army from suffering themselves, under any circumstances, to be placed in a situation adverse to their duty and allegiance.

"The governor in council avails himself of this occasion to express, in the most public manner, his high sense of the zeal, moderation, energy, and ability displayed by the government of Mysore, and by the British resident and commanding officer, during the transactions that have recently occurred in that country. The British resident and the commanding officer in Mysore did not permit the adoption of coercive measures until every means of expostulation and forbearance had been exhausted, and until they were compelled to embrace the alternative of employing force, in order to prevent the most fatal evils to the cause of their country.

"The governor in council requests, that the honourable Mr. Cole and lieutenant-colonel Davies will be pleased to accept the expression of his highest approbation and thanks, for the moderation, firmness, and ability, which they manifested on this unprecedented and distressing occasion.

"A. FALCONAR,

"Chief Secretary to Government."

**"GENERAL ORDERS, BY THE HON. THE GOVERNOR
IN COUNCIL.**

"Fort St. George, Aug. 30.

"A report has been received by the governor in council from the officer commanding in Mysore, stating, that the troops which composed the garrison of Seringapatam surrendered at discretion, on the 23d instant, delivered up their arms, and proceeded to the stations in Mysore allotted for their residence.

"It has been ascertained that the Native troops which proceeded from Chittledroog were entirely ignorant of the real design of their officers, and marched under an impression, produced by their officers, that his highness the rajah of Mysore had commenced hostility against the British government, and attacked the Fort of Seringapatam. The appearance of the Mysore horse confirmed this opinion in the minds of those troops, and when they found in the contest before Seringapatam, which was begun by the Mysore horse, that the British force acted against them, they abandoned their

arms, and endeavoured to save their lives by flight. It appears that a considerable number escaped into the Fort of Seringapatam.

" This explanation is due to the general conduct of the native troops under this government, who, under circumstances of peculiar difficulty, manifested a fidelity and attachment to the state that reflects great honour on their character.

" The governor in council was persuaded, that it was only by deceiving the native troops that they could be misled from their duty, and their conduct, in every situation where they had an opportunity of being more acquainted with the true situation of affairs, justifies the high opinion which he entertained of their zeal and fidelity, and entitles them to the approbation and thanks of the government.

" The governor in council greatly ascribes the early termination of the disturbances in Mysore to the vigilance, energy, and talents of the acting resident, the honourable Arthur Cole, and the commanding officer in Mysore, lieut.-colonel Davies, and he judges it proper again to express his high sense of the important services which they have rendered to the interests of their country in India.

" By order of the honourable the governor in council,
(Signed)

" A. FALCONAR,
" Chief Secretary to Government.

" By order of major-general Gowdie, commanding the army.

" J. H. PEELE,
" Secretary to Government."

[S.]

" TO THE HON. SIR GEORGE BARLOW, BART, K. B.

" SIR,—We should be wanting in the first principles of duty to our country and ourselves, both as subjects and soldiers; and we should be insensible to the just feelings of honour, patriotism, and loyalty, were we longer to remain silent, or abstain from addressing you; indeed, the moment has arrived, when it has become a bounden and a sacred duty for us to come forward, and with one voice, deny those unjust imputations upon the character of the company's officers which have been industriously disseminated through the channel of the public prints; and to convey to you, Sir, such an explicit declaration of our principles, that, on a future day, when the circumstances of this awful and eventful crisis shall

be submitted to the solemn investigation of our country, we may appeal to a faithful record, and challenge the testimony of this address.

“ It would be vain for us to attempt to describe the sensations of honest indignation with which we have perused the documents circulated in the public Gazette, or the sentiments of regret, with which we perceive, that some of our countrymen, and fellow subjects, have received an impression, that the officers of the company’s service entertain designs repugnant to their first duties as subjects and servants of the state ; and that, under such impression, they have been induced to express a sentence of unqualified condemnation.—But, that you, Sir, should avow such a belief, and ascribe to the officers of the honourable company’s army a deliberate, premeditated design to subvert the government, to claim the surrender of its authority, and throw off their allegiance to their King and country, is what we cannot read without sentiments of indescribable horror and surprize.

“ With emotions of equal horror have we read that these sentiments, and a more extensive charge of positive rebellion have been promulgated from the awful bench of justice ; such a charge, and armed with such authority, demands the most solemn and most public vindication.

We have not forgotten, Sir, that we are British subjects, the children of the happiest country, and the most glorious constitution in the world ; nor have we ever entertained a thought at variance with the purest and most sacred principles of loyalty, allegiance, and fidelity.—Our bosoms still glow, Sir, with enthusiastic attachment to our beloved King and country, in whose service and for whose interests, we are ready to shed every drop of our blood ; not less, is our fidelity to the East India Company, nor our respect and obedience to their governments in India. We have never claimed the surrender of the authority of the government, or aimed at trampling down those first principles of duty and obedience, which we know to be solemn and primary obligations. We appeal to our services and character. Is it probable that the officers of the company’s army, many of whom have passed the best portion of their lives in the service, should entertain the mad project of subverting that power they have shed their blood to establish and secure.

“ No, Sir, such a thought never occurred ! The company’s officers have sought no immunities, we have asked from you *only those rights which, as Britons, we derive from our birth,*—

the protection of the laws of our country, and the impartial administration of British justice! These are the privileges we have hitherto enjoyed, *these are the claims we have made upon you, and which the government has denied to us*; and it is this denial of those sacred unalienable rights, secured to us by our constitution, that has agitated the minds of the company's officers, and driven them to despair.—You, Sir, have justly stated, that there is a principle of national feeling and attachment inherent in Britons, which cannot be eradicated. We feel the truth of this observation, and it is that ardent attachment to the laws and liberties of our native country, which warms our hearts, and which has raised the voice of every one amongst us, to call upon you to secure to us their uninterrupted enjoyment and protection.

“ Had we not been bereft of those our dearest privileges, had not those sacred rights, for which our ancestors bled, been torn from us, not a murmur of discontent would have been heard in the company's army; not an expression discordant with the strictest rules of respect and obedience. If you will revert to the period, Sir, when you assumed charge of the government of this presidency, your candour will acknowledge, that you found the army in a state of perfect obedience and tranquillity, and in such a state it continued till the moment, when the constitutional rules of our order were infringed, the ordinary and established tribunals subverted, and summary severe punishments inflicted, without trial or investigation.

“ Far be it from us, to remark on the conduct of government; but it is not inconsistent with just and proper respect, in our present extraordinary situation, to shew the effects which were produced, and which gradually led to that insupportable irritation that has, at length, unhappily terminated in extremes, which we deplore equally with every member of the government.

“ We wish not to trespass on your attention, but, at this awful moment, when a general unqualified calumny is gone abroad; when our loyalty, our allegiance, and our national attachment is called in question, and becomes the theme of public reproach; when the newspapers of the day proclaim our misfortunes, and our degradations, it would not become us to be silent.

“ We hesitate not to say, that misrepresentations have been too successfully employed, and that prejudices have been adopted unfavourable to our principles and conduct.

“ It will be unnecessary to enter into a detail of our serious wrongs at present ; but we cannot pass over the deepest wound inflicted on the army ;—*the order of the 1st of May* ; the effects of which may be lamented to the last hour that the British influence exists in India. In this order many of the most respected and most valuable officers were disgraced, punished, and suspended from the service, not only without trial or investigation, without hearing or defence, but without knowing their accusers, or even their crime. In vain did these officers seek and implore a trial : This indulgence was not only denied to them ; but the vindication they offered was either rejected, neglected, or suppressed. It was known to the army that many of these officers were absolutely innocent of the charges for which they had been punished, and had it in their power to substantiate their exculpation upon the clearest and most unequivocal testimony.—Yet, not only redress, but even hearing was denied to all their entreaties, and the serious imputations against them, the sentence of their punishment, and a general impeachment against the coast army, was circulated to the world in the public journals of the day. Can it, then, be wondered, that general discontent should follow, that alarm should be excited, and that every individual should consider himself in danger of falling a victim to secret calumny or suspicion ? It appeared to the army, that a deliberate system existed to subvert the *right of trial*, and it was feared that it would ultimately tend to degrade an honorable profession into an abject and disreputable servitude

“ How well founded those apprehensions were, we will not enquire. As subjects of Great Britain we can never forget the rights to which we are born, and which we do not forfeit, because we are soldiers.—But we cannot more forcibly describe our feelings, than by referring to the just and emphatic declaration of our most gracious sovereign, on a recent occasion, when he says, ‘ And I must remind you, that it is inconsistent ‘ with the principles of British justice, to pronounce judgment ‘ without previous investigation.’ And if we needed a further illustration of the grand fundamental maxims of our constitution, we shall find them elegantly stated, in the following words of an exalted and learned character,—who says,—‘ He called upon ‘ them for what every British subject had a right to, and ‘ which no British man could refuse ; he called upon ‘ them to suspend proceedings which might have the effect ‘ of *condemning without a trial* ; and, before judgment, to hear ‘ such evidence as was required for the ends of justice, by

‘ the laws of the land. It was not to prevent impeachment, but to claim the privilege of every British subject, from the highest to the lowest, and the lowest to the highest, to have his trial before condemnation, in a cause which affected his character, integrity, and honor.’

“ It has been asserted, that it is our duty to await patiently the *result of a reference to Europe*; and impatience of this appeal is imputed to us, and reprobated in strong and angry terms. We acknowledge it to be our duty, but have we ever been told, or had the satisfaction of knowing, that our petitions, and our grievances, have been appealed to the authorities at home; have not our petitions, our humble memorials of our complaints been received with reproaches, and rejected with derision and disdain? When we ventured to express our complaints to our superiors, were we not branded with mutiny and sedition? Even the individuals, who have been punished, who vainly supplicated trial, have they received even the poor consolation of knowing, their defence and vindication had been, or should be submitted to those ulterior authorities who were to pass a final judgment upon their case, and whose decision was to confirm their condemnation, or restore them to their rank and situation? These, Sir, are amongst those most serious injuries, which the officers of the company’s service loudly complain of, and which, had you condescended to redress, or even to investigate, would have secured to you the gratitude and attachment of the coast army, and averted those calamities which have ensued. May we not, Sir, also notice, without invidious comparisons, the endeavours to promote discord, jealousy, and a separation of interests between the officers of his majesty’s service and those of the company’s army,—our brothers in arms and fellow subjects?

“ They have not and cannot suffer our wrongs; the constitution of their service affords them that protection which we do not enjoy, and they have not had grievances to complain of; unbounded encomiums have been lavished on them, while indiscriminate and harsh reproaches have been bestowed on the ‘ company’s officers,’ and aspersions upon our loyalty, honor, and fidelity, promulgated to the world.

“ We have not merited this, Sir, from your hands, nor from your government; we have quitted our native country, our relations, and friends; and we have sacrificed the dearest ties of nature, to devote our lives, and our service, for the interest of the East India company, and the good of our

country, in a distant and unwholesome climate, where too many of us fall victims to our zeal.

"But we will now not further complain, nor dwell on that last act which, attended with circumstances of peculiar humiliation, has placed us in an extraordinary predicament, and subjected us to be treated with such public indignity and contempt. We look to the justice of our country for redress, and to rescue a numerous body of loyal, faithful, meritorious subjects from the unmerited obloquy cast upon us, in consequence of the publication circulated in the newspapers.

"Pondicherry, August, 1809."

[T.]

"GENERAL ORDERS, BY THE HON. THE GOVERNOR
IN COUNCIL OF MADRAS.

"All civil and military officers, exercising the authority under the government of Fort St. George, having been directed to consider all corps moving without orders as in a state of rebellion to the government, and to offer every practicable obstruction to their progress, the honourable the governor in council is pleased to direct, that timely notice shall be given by officers commanding divisions to the different collectors and magistrates, through whose districts any troops under their orders may have to march, in order that such collectors and magistrates may be prepared to afford the supplies and assistance to those corps which they would, without such notice, consider themselves bound to withhold.

"The governor in council is further pleased to direct, that the notice to the civil officers shall distinctly specify the strength and description of the corps or party moving, and the name of the officer in charge of the same, who must produce a written order, with a translation on the back of it, in the common language of the district, signed by the officers commanding the division, without which, the native servants of the civil officers will withhold all supplies, and oppose every impediment to the march of the corps.

"By order of the honourable the governor in council,
(Signed) "A. FALCONAR,

Chief Secretary to Government.

"Madras, 7th September."

“GENERAL ORDERS, BY THE HON. THE GOVERNOR
IN COUNCIL.

“ August 26, 1809.

“ Circumstances having occurred, which induced colonel Close to relinquish the command of the Hyderabad subsidiary force on his arrival there, on the 3d instant, when it was resumed by lieut.-col. Montessor, the honourable the governor in council is pleased to re-appoint colonel Close to the command of that force, and also to the command of the field force assembled in the ceded districts.

“ By order of the honorable the governor in council,

(Signed)

“ A. FALCONAR,

“ Chief Secretary to Government.”

“ GENERAL ORDERS.

“ The declaration required from the European commissioned officers of the honourable company's service, by the order of the 26th July last, having been tendered to the medical officers at several stations of the army, and refused by some of them, in consequence of which they have been removed from the exercise of their functions. The governor in council is pleased to publish, that it never was intended that the medical officers should be called upon to sign the declaration in question, which is in no wise applicable to them, and to direct, that all those who may have been removed from their duties, do immediately return to their stations, and resume the duties of them.—
Madras Gazette, August 19.”